

86. No unauthorised parking in certain areas

- (1) In this section, “**prescribed area**” means —
- [(a) *deleted*]
 - (b) any area defined for the purposes of this section by the Governor by notice published in the *Gazette*.
- (2) No person shall, within a prescribed area, park a vehicle on land which is not a road, unless he has been authorised to do so by the owner, or person in possession of that land.

Penalty: 5 PU.

- (3) (a) Where a person parks a motor vehicle on land contrary to the provisions of subsection (2), and where the vehicle causes or is likely to cause an obstruction, or danger to traffic, a member of the Police Force or the owner, or the person in possession of the land, or an employee of the owner, or person in possession of the land, may —
- (i) direct the driver or person in charge of the vehicle to remove the vehicle from the place where it is parked; and
 - (ii) where no person appears to be in immediate charge of the vehicle, himself remove the vehicle from the place where it is parked and may move the vehicle either to a place where parking of vehicles is permitted, or the police station nearest to the land.
- (b) Where a person in exercise of the power conferred on him by paragraph (a) removes and parks a vehicle, he shall forthwith give particulars to a member of the Police Force at the police station nearest to the place where he has parked the vehicle, of his name and address, the registered number of the vehicle, the place where the vehicle was parked, and the time that he removed the vehicle.

- (4) A person who disobeys or fails to comply with a direction made pursuant to subsection (3) commits an offence.

Penalty: 3 PU.

- (5) Where a person in exercise of the power conferred by subsection (3)(a) incurs costs in removing a vehicle, that person may recover those costs on complaint made in a court of petty sessions.
- (6) In any proceedings for a penalty under this section, the court, in addition to imposing a penalty, may award to a person any costs incurred by that person in the exercise of a power conferred on him by this section.

[Section 86 amended by No. 105 of 1981 s. 13 and 19; No. 11 of 1988 s. 24; No. 50 of 1997 s. 13; No. 16 of 1999 s. 7(4); No. 74 of 2003 s. 105(3).]