

Defence in case of vehicle standing in certain circumstances for limited time.

10. In the prosecution against a person for parking a vehicle or causing a vehicle to stand, in contravention of the terms of a sign or notice displayed in pursuance of section six of this Act (other than a sign or notice indicating that vehicles are not to be kept standing), it is a defence if the accused person satisfies the court that the vehicle was left parked or kept standing only for such time (not exceeding five minutes) as was reasonably necessary to take up or set down a passenger and his luggage (if any).

Liability of owner and actual offender for parking infringement.

11.—(1.) Subject to this section, where a parking infringement occurs, the owner of the vehicle at the time of the occurrence of the infringement shall be deemed to have committed the infringement, whether or not he in fact committed the infringement.

(2.) Nothing in the last preceding sub-section affects the liability of an actual offender other than the owner of the vehicle but, where the full amount of the penalty imposed on a person in respect of a parking infringement has been paid, a further penalty shall not be imposed on, or recovered from, another person in respect of the same infringement.

(3.) The owner of a vehicle shall not, by virtue of this section, be deemed to be guilty of an offence if, within fourteen days after the service on him of a summons in respect of the parking infringement alleged, he furnishes to the informant or complainant a statutory declaration made by him stating—

- (a) that he was not in control of the vehicle at the time of the alleged infringement; and
- (b) the name and address of the person who was in control of the vehicle at that time.

(4.) In a prosecution against the owner of a vehicle in respect of a parking infringement, it is a defence if the owner satisfies the court—

- (a) that the vehicle was, at the time of the infringement, stolen or illegally taken or used; or
- (b) that he was not in control of the vehicle at the time of the alleged infringement and does not know, and could not with reasonable diligence have ascertained, the name and address of the person who was in control of the vehicle at that time.

(5.) A statutory declaration furnished, in relation to a parking infringement, in accordance with sub-section (3.) of this section is admissible in evidence in a prosecution in respect of that parking infringement against the person stated in the document to have been in control of the vehicle at the time of the alleged infringement, and is evidence that that person was in control of the vehicle at that time.