STATUTORY INSTRUMENTS

2025 No. 238

ROADS, ENGLAND AND WALES

CRIMINAL LAW, ENGLAND AND WALES

POLICE, ENGLAND AND WALES

The Courses Offered as an Alternative to Prosecution (Specified Fixed Penalty Offences) (Traffic) Regulations 2025

Made - - - -	*26th February 2025*
Laid before Parliament	*3rd March 2025*
Coming into force - -	*31st March 2025*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 90G(3) and (6) and 90H of the Road Traffic Offenders Act 1988(**a**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Courses Offered as an Alternative to Prosecution (Specified Fixed Penalty Offences) (Traffic) Regulations 2025.

(2) These Regulations come into force on 31st March 2025.

(3) These Regulations extend to England and Wales.

Interpretation

2. In these Regulations—

"the Act" means the Road Traffic Offenders Act 1988;

"UKROEd" means UKROEd Limited.

Specified fixed penalty offences

3. The specified fixed penalty offences for the purposes of section 90G of the Act are the fixed penalty offences for the purposes of Part III of the Act.

(**a**) 1988 c. 53. Sections 90G and 90H were inserted by section 89(1) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32).

Specified bodies

4.—(1) Subject to paragraph (2), the specified bodies for the purposes of section 90G of the Act are—

(a) a chief officer of police of a police force in England and Wales;

(b) the Chief Constable of the British Transport Police Force, and

(c) UKROEd.

(2) The bodies in paragraph (1)(a) and (b) cease to be specified bodies at the end of the period of two years beginning on the day on which these Regulations come into force.

Fees – courses approved UKROEd

5.—(1) This regulation applies where a policing body charges a fee for enrolment on a course approved by UKROEd under section 90G of the Act.

(2) 52% of the fee is to be retained by the policing body.

(3) 42% of the fee is to be paid to the course provider.

(4) 6% of the fee is to be paid to UKROEd.

Fees – other cases

6.—(1) This regulation applies where a policing body charges a fee for enrolment on a course approved by a body other than UKROEd under section 90G of the Act.

(2) The policing body is to retain the fee.

Repeat offences

7.—(1) A chief officer must not offer an approved course to a person as an alternative to prosecution for a specified fixed penalty offence where—

(a) there is a course fee, and

(b) the person has, within the period specified in paragraph (2), satisfactorily completed a similar approved course in respect of an earlier specified fixed penalty offence.

(2) The specified period is the period of three years ending with the date on which the specified fixed penalty offence was committed.

(3) The chief officer may determine what courses count as similar for the purposes of this regulation.

(4) In determining what courses count as similar the chief officer must have regard to relevant guidance published by the National Police Chiefs' Council.

Diana Johnson
Minister of State
Home Office

26th February 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the purposes of Part 3B of the Road Traffic Offenders Act 1988 ("the Act"), which deals with courses offered as an alternative to prosecution for specified fixed penalty traffic offences.

Regulation 3 provides that the fixed penalty offences for the purposes of Part III of the Act are the offences in relation to which a course may be offered as an alternative to prosecution. Regulation 4 provides that UKROEd Limited will be the body to approve such courses, but that for a period of two years after the coming into force date of these Regulations, a chief officer of police or of the British Transport Police may approve them. Regulation 5 sets out how fees are to be allocated for courses approved by UKROEd and Regulation 6 sets out how fees are to be allocated where a chief officer approved the course. Regulation 7 provides that a person may not be offered a course as an alternative to prosecution if they have already completed a similar course in the three years prior to their most recent fixed penalty offence.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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ISBN 978-0-34-826948-2

£5.78

http://www.legislation.gov.uk/id/uksi/2025/238

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