EXPLANATORY MEMORANDUM TO

The Penalty Charges (Prescribed Devices) (Amendment) Regulations (Northern Ireland) 2025

S.R. 2025 No. 138

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Infrastructure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Article 8(1) of The Traffic Management (Northern Ireland) Order 2005 and is subject to the negative resolution procedure.

2. Purpose

2.1. The purpose of the rule is to allow for the recognition of VCA certificates in Northern Ireland that have been granted in England and Wales.

3. Background

3.1. The Traffic Management (Northern Ireland) Order 2005 ("the 2005 Order") makes provision for the civil enforcement of certain road traffic offences by the Department. Article 7 of the 2005 Order provides for the Department to issue a penalty charge notice on the basis of a record produced by a prescribed device. Article 8 provides for the Department to make Reulations to prescribe a device.

3.2. A device is a prescribed device for the purposes of recording certain road traffic contraventions.

3.3. The proposed Rule will amend the Penalty Charges (Prescribed Devices) Regulations (Northern Ireland) 2014 by allowing for the recognition in Northern Ireland of VCA (Vehicle Certification Approval) certificates granted in England And Wales.

4. Consultation

4.1. There is no requirement to go to public consultation to make this Rule.

5. Equality Impact

5.1. Consideration has been given to compliance with Section 75 of the Northern Ireland Act 1998. No equality issues have been identified by the Department.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment was not considered necessary as the proposal does not result in any costs or savings to businesses, charities or voluntary bodies.

7. Financial Implications

7.1. The costs relating to the making of the Regulations mainly consists of staff costs.

8. Section 24 of the Northern Ireland Act 1998

8.1. Consideration has been given to compliance with Section 24 of the Northern Ireland Act 1998. No human rights issues have been identified by the Department.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.