1966. No. 116 [C]

CRIMINAL PROCEDURE

Road Traffic: Fixed Penalty (Procedure)

REGULATIONS, DATED 25TH MAY, 1966, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTIONS 17(4), 20(4) AND 48 OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1964.

The Ministry of Home Affairs in pursuance of the powers conferred upon it by Sections 17(4), 20(4) and 48 of the Road Traffic Act (Northern Ireland) 1964(a) hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Road Traffic (Fixed Penalty) (Procedure) Regulations (Northern Ireland) 1966, and shall come into operation on 1st August, 1966.

Form of notice

2.—(1) A notice under Section 17 or 18 of the Road Traffic Act (Northern Ireland) 1964 offering the opportunity, by payment of a fixed penalty, of the discharge of any liability to conviction of an offence to which Part II of the said Act, other than Section 19, applies (hereafter in these Regulations referred to as "a notice") shall be in the form in the Schedule or in a form to the like effect.

(2) A notice, in specifying an alleged offence, shall contain a reference to the Section of the Act, or as the case may be, the rule, order, regulation, byelaw or other instrument creating the offence.

To whom particulars of notice are to be sent

3.—(1) Particulars of any notice as is referred to in Regulation 2 shall, as soon as practicable, be forwarded, by or on behalf of the constable or traffic warden giving or affixing the notice, to the Clerk of Petty Sessions to whom the fixed penalty is payable.

(2) Where such a notice as is referred to in Regulation 2 specifies an offence for which a local road authority may take criminal proceedings, particulars of the notice shall, as soon as practicable, be forwarded, by or on behalf of the constable or traffic warden giving or affixing the notice, to the local road authority concerned unless the said authority have notified the Inspector General of the Royal Ulster Constabulary in writing that they do not wish to receive particulars of notices relating to that offence.

Payment of fixed penalties

4. Payment of a fixed penalty shall be made to the Clerk of Petty Sessions for the Petty Sessions district in which the offence alleged was committed.

Identification of fixed penalty

5.—(1) The person paying a fixed penalty shall either forward with the remittance Part II of the relevant notice or identify the notice by specifying its serial number.

(a) 1964. c. 20 (N.I.).

(2) If, owing to the failure of the person paying a fixed penalty to comply with the provisions of paragraph (1), the Clerk of Petty Sessions is unable to identify the relevant notice, the Clerk shall, as soon as practicable, return the remittance to that person.

Tendering of less than full amount

6. If less than the full amount of a fixed penalty is tendered to a Clerk of Petty Sessions in payment of the fixed penalty, the Clerk of Petty Sessions shall, as soon as practicable, return to the sender the amount tendered.

Where criminal proceedings are to be taken

7.—(1) Where criminal proceedings in respect of the act or omission constituting the offence specified in a notice are taken by a constable, traffic warden or local road authority, notification thereof shall, as soon as possible, be given by or on behalf of the constable, traffic warden or local road authority to the Clerk of Petty Sessions specified in the notice.

(2) The Clerk of Petty Sessions shall not, after receiving the said notification, accept payment of the fixed penalty to which the notice relates.

Receipt of fixed penalty

8. Subject to the foregoing provisions of these Regulations a Clerk of Petty Sessions shall as soon as practicable after payment of a fixed penalty has been made to him—

(*a*) give to the payer a receipt for the payment; and

(*b*) inform the person in charge of the Fixed Penalty Office of the Royal Ulster Constabulary for the area in which the alleged offence was committed of the payment.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 25th day of May, 1966.

(L.S.) *J. W. E. Cathcart,*
Assistant Secretary.

SCHEDULE

Regulation 2 Serial No. (of Notice)

PART I

Note: It is an offence for anyone to remove or interfere with this Notice, except the driver or person in charge of the vehicle or someone acting by his authority, or other person liable for the offence.

Notice of opportunity to pay Fixed Penalty

ROAD TRAFFIC ACT (NORTHERN IRELAND) 1964, Part II

Motor vehicle, index No. ..... was seen in (insert name of road) ..... [from ..... to .....] [at .....] on the ..... day of ....., 19...., in circumstances giving me reasonable cause to believe that an offence, particulars of which are given* [at ( )] below, was being or had been committed.

*The use of box numbers to indicate the different offences is optional.

(here insert particulars of the offence alleged as in the following examples):—

*[(1)] The vehicle was waiting in a restricted street (bye-law of the byelaws made on , prohibiting or restricting the waiting of vehicles in public streets in the of).

*[(2)] The vehicle was left in a parking place without the initial charge having been paid (Section 9 of the Road Traffic Act (Northern Ireland) 1964).

*[(3)] The vehicle was left in a parking place for more than hours after the excess charge was incurred (byelaw made on and Section 9 of the Road Traffic Act (Northern Ireland) 1964.

*[(4)] The vehicle was left or parked on a road during the hours of darkness without the lights or reflectors required by law (Section 30 of the Motor Vehicles and Road Traffic Act (Northern Ireland) 1934(a) and Section 32 of the Road Traffic Act (Northern Ireland) 1955(b).

Police Constable/Traffic Warden Signature .....

Number .....

If before the end of days from the above date, the sum of £ (being the fixed penalty for the offence) is paid to the Clerk of Petty Sessions (insert address), proceedings will not be taken for the offence and any liability to conviction of the offence will be discharged. Cash should be sent by registered post; cheques, postal orders or money orders should be made payable to the Clerk of Petty Sessions (insert name of city or town in which his office is situated).

An official receipt for the payment will be given. *Part payment will not be accepted.*

(a) 24 & 25 Geo. 5. c. 15. (b) 1955. c. 27.

The person paying the fixed penalty must forward with the remittance (or bring with him if he pays at the Petty Sessions Office) Part II of this notice or identify this notice by quoting its serial number.

If the fixed penalty is not paid, the offender is liable to be prosecuted.

PART II

Serial No. (of Notice)

To

(insert name and address of Clerk of Petty Sessions).

I enclose the sum of £ as payment of the fixed penalty for the offence mentioned in Part I of this notice.

Name (in block capitals) .....

Address (in block capitals) .....

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe the form of notice which is to be given to a person or affixed to a vehicle under Part II of the Road Traffic Act (Northern Ireland) 1964. The notice offers the opportunity of discharging, by payment of a fixed penalty, any liability to conviction of the offence specified therein. The Regulations also prescribe the Clerk of Petty Sessions to whom the fixed penalty is payable, and the procedure to be followed with respect to the payment.

1966. No. 117 **[C]**

AGRICULTURE

Cattle—Breeding Herds

SCHEME, DATED 1ST JUNE, 1966, MADE BY THE MINISTER OF AGRICULTURE UNDER SECTION 1 OF THE AGRICULTURE (TEMPORARY ASSISTANCE) ACT (NORTHERN IRELAND) 1954(**a**), AS AMENDED BY THE AGRICULTURE (TEMPORARY ASSISTANCE) (AMENDMENT) ACT (NORTHERN IRELAND) 1957(**b**).

The Minister of Agriculture, with the approval of the Minister of Finance and in exercise of the powers conferred on him by the Agriculture (Temporary Assistance) Acts (Northern Ireland) 1954 and 1957, and of all other powers him thereunto enabling, hereby makes the following Scheme:—

Short title and commencement

1. The Scheme may be cited as the Cattle (Breeding Herds) Scheme (Northern Ireland) 1966, and shall come into operation on the 1st day of June, 1966.

(a) 1954, c. 31. (b) 1957, c. 3.