

**2015 No. 349**

**ROAD TRAFFIC AND VEHICLES**

**The Road Traffic (Fixed Penalty) (Offences) (Amendment)  
Order (Northern Ireland) 2015**

*Made* - - - - *30th September 2015*

*Coming into operation* - *16th November 2015*

The Department of the Environment, makes the following Order in exercise of the powers conferred by Article 57(2) of the Road Traffic Offenders (Northern Ireland) Order 1996(a).

In accordance with Article 91(1) of that Order the Department has consulted with such representative organisations as it thinks fit.

**Citation and commencement**

1. This Order may be cited as the Road Traffic (Fixed Penalty) (Offences) (Amendment) Order (Northern Ireland) 2015 and shall come in to operation on 16<sup>th</sup> November 2015.

**Amendment of the Road Traffic (Fixed Penalty) (Offences) Order**

2.—(1) Schedule 1 to the Road Traffic (Fixed Penalty) (Offences) Order (Northern Ireland) 1997(b) (fixed penalty offences) is amended as follows—

(2) After item 51 insert—

**“Offences under the Road (Restriction of Waiting) Order (Northern Ireland) 1982(c)**

51ZA	Article 5(c)	To wait in such a position as to obstruct access to any premises.”
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(3) In item 41 after “regulation order” insert “for which a penalty charge in accordance with Article 4 of, and Schedule 1 to, the Traffic Management (Northern Ireland) Order 2005 (d) or the Penalty Charge (Exempt from Criminal Proceedings) Regulations (Northern Ireland) 2006(e) cannot be issued”.

(4) In item 42 after “control scheme” insert “for which a penalty charge in accordance with Article 4 of, and Schedule 1 to, the Traffic Management (Northern Ireland) Order 2005 or the Penalty Charge (Exempt from Criminal Proceedings) Regulations (Northern Ireland) 2006 cannot be issued”.

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(a) S.I. 1996/1320 (N.I. 10)  
(b) S.R. 1997 No. 369, relevant amending Regulations are S.R. 2007 No.318  
(c) S.R. 1982 No. 44  
(d) 2005 No. 1964 (N.I. 14)  
(e) S.R. 2006 No.376 as amended by S.R. 2006 No. 432 and S.R. 2010 No. 183

(5) In item 43 after “or restriction” insert “for which a penalty charge in accordance with Article 4 of, and Schedule 1 to, the Traffic Management (Northern Ireland) Order 2005 or the Penalty Charge (Exempt from Criminal Proceedings) Regulations (Northern Ireland) 2006 cannot be issued”.

(6) Omit items 45 and 46.

Sealed with the Official Seal of the Department of the Environment on 30<sup>th</sup> September 2015



*Elizabeth Loughran*  
A senior officer of the  
Department of the Environment

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends Schedule 1 to the Road Traffic (Fixed Penalty) (Offences) Order (Northern Ireland) 1997 to—

specify an additional offence, relating to the waiting in such a position as to obstruct access to any premises, to be a fixed penalty offence for the purposes of the Road Traffic Offenders (Northern Ireland) Order 1996;

clarify that a fixed penalty under items 41 to 43 can only be issued in respect of those offences for which a penalty charge cannot be issued in accordance with Article 4 of, and Schedule 1 to, the Traffic Management (Northern Ireland) Order 2005 or the Penalty Charge (Exempt from Criminal Proceedings) Regulations (Northern Ireland) 2006; and

to omit items 45 and 46.

An Explanatory Memorandum has been produced and is available from Road Safety and Vehicle Regulation Division, Department of the Environment, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or viewed online at <http://www.legislation.gov.uk/nisr>

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