

---

STATUTORY INSTRUMENTS

---

**1996 No. 1320**

**The Road Traffic Offenders (Northern Ireland) Order 1996**

**PART II**

**TRIAL**

*Trial*

**Provisions as to proceedings for certain offences in connection with the construction and use of vehicles and equipment**

**20.**—(1) If in any proceedings for an offence under Article 54, 56, 57 or 58 of the Order of 1995 (using vehicle in dangerous condition or contravention of construction and use regulations)—

- (a) any question arises as to a weight of any description specified in the plating certificate for a goods vehicle; and
- (b) a weight of that description is marked on the vehicle,

it shall be assumed, unless the contrary is proved, that the weight marked on the vehicle is the weight so specified.

(2) If, in any proceedings for an offence—

- (a) under Part III of the Order of 1995, except Articles 63 and 83, or
- (b) under Article 174 of the Order of 1981;

any question arises as to the date of manufacture of a vehicle, a date purporting to be such a date and marked on the vehicle in pursuance of regulations under Part III of the Order of 1995 shall be evidence that the vehicle was manufactured on the date so marked.

(3) If in any proceedings for the offence of driving a vehicle on a road, or causing or permitting a vehicle to be so driven, in contravention of a prohibition under Article 79(2) of the Order of 1995 any question arises whether a weight of any description has been reduced to a limit imposed by construction and use requirements, or so that it has ceased to be excessive the burden of proof shall lie on the accused.

### **Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Road Traffic Offenders (Northern Ireland) Order 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

### **Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Order transfer of functions by [S.R. 2016/76 Sch. 5 Pt. 2](#)
- Order transfer of functions by [S.I. 2010/976 Sch. 17 para. 46](#)

**Whole provisions yet to be inserted into this Order (including any effects on those provisions):**

- Pt. 4A inserted by [S.I. 2007/916 \(N.I.\) art. 12\(1\)](#)
- Pt. 4B inserted by [2022 c. 32 s. 89\(2\)](#)
- s. 40A40B inserted by [2009 c. 25 Sch. 16 para. 4](#)
- art. 15(1) power to apply conferred by [S.I. 2007/916 \(N.I.\) Sch. 1 para. 8](#)
- art. 15(1) power to apply conferred by [SI 1981/154 \(N.I. 1\) Sch. 2A para. 7](#) (as inserted) by [S.I. 2007/916 \(N.I.\) Sch. 3](#)
- art. 23(2)(g) added by [S.R. 2014/230 art. 2](#)
- art. 35(1ZA)-(1ZC) inserted by [2016 c. 11 \(N.I.\) s. 12\(2\)](#)
- art. 35(3A) inserted by [2016 c. 11 \(N.I.\) s. 13\(2\)](#)
- art. 36(3A) inserted by [2009 c. 25 Sch. 21 para. 92\(3\)\(d\)](#)
- art. 36(4A) inserted by [2016 c. 11 \(N.I.\) s. 14\(2\)](#)
- art. 37(2A) inserted by [2009 c. 25 Sch. 21 para. 92\(4\)\(c\)](#)
- art. 38A(5A) inserted by [2009 c. 25 Sch. 21 para. 92\(5\)\(c\)](#)
- art. 38A(6A) inserted by [2009 c. 25 Sch. 21 para. 92\(5\)\(e\)](#)
- art. 42(2A) inserted by [2009 c. 25 Sch. 21 para. 92\(7\)\(c\)](#)
- art. 42(5) added by [S.R. 2016/135 reg. 2\(2\)](#)
- art. 47(3A) inserted by [2009 c. 25 Sch. 21 para. 92\(8\)\(b\)](#)
- art. 47(3B) inserted by [2009 c. 25 Sch. 21 para. 92\(8\)\(c\)](#)
- art. 52(2ZA) inserted by [2009 c. 25 Sch. 21 para. 92\(9\)\(b\)](#)
- art. 54A inserted by [2016 c. 11 \(N.I.\) s. 15](#)
- art. 59(2A) inserted by [2016 c. 11 \(N.I.\) s. 8\(2\)](#)
- art. 59(4) added by [2016 c. 11 \(N.I.\) s. 8\(3\)](#)
- art. 59A-59C inserted by [2016 c. 11 \(N.I.\) s. 9\(1\)](#)
- art. 63A(7) added by [2016 c. 11 \(N.I.\) s. 11\(1\)\(d\)](#)
- art. 64B inserted by [2016 c. 11 \(N.I.\) s. 8\(5\)](#)
- art. 76(3A)(3B) inserted by [2016 c. 21 \(N.I.\) Sch. 2 para. 5\(3\)](#)

### **Commencement Orders yet to be applied to the The Road Traffic Offenders (Northern Ireland) Order 1996**

**Commencement Orders bringing legislation that affects this Order into force:**

- [S.R. 2010/226 art. 2Sch.](#) commences ([S.I. 2007/916 \(N.I.\)](#))
- [S.R. 2010/370 art. 2Sch.](#) commences ([S.I. 2007/916 \(N.I.\)](#))
- [S.R. 2011/286 art. 2Sch.](#) commences ([S.I. 2007/916 \(N.I.\)](#))
- [S.R. 2012/16 art. 2](#) commences ([S.I. 1996/1320 \(N.I.\)](#))
- [S.R. 2012/262 art. 2-6](#) commences ([2010 c. 2 \(N.I.\)](#))
- [S.R. 2012/313 art. 2Sch.](#) commences ([2008 c. 4](#))
- [S.R. 2014/238 art. 2Sch.](#) commences ([2008 c. 4 \(N.I.\)](#))
- [S.R. 2015/284 art. 2Sch.](#) commences ([2011 c. 11 \(N.I.\)](#))
- [S.R. 2015/389 art. 2\(3\)Sch. Pt. 3](#) commences ([2008 c. 4 \(N.I.\)](#))
- [S.R. 2016/387 art. 2](#) commences ([2015 c. 9 \(N.I.\)](#))
- [S.R. 2017/34 art. 2](#) commences ([2010 c. 14 \(N.I.\)](#))

- [S.R. 2018/99 art. 2\(a\)-\(c\) commences \(2016 c. 21 \(N.I.\)\)](#)