

*These notes refer to the Clean Neighbourhoods and Environment Act
(Northern Ireland) 2011 (c.23) which received Royal Assent on 4 May 2011*

Clean Neighbourhoods and Environment Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 - Vehicles

Section 7 – Offence of abandoning a vehicle: fixed penalty notices

This section amends the Pollution Control and Local Government (Northern Ireland) Order 1978 (the 1978 Order) (which makes it an offence to abandon a motor vehicle) by inserting new Articles 29A to 29C. New Article 29A of the Order gives an authorised officer of a district council the power to issue a fixed penalty notice in respect of an offence of abandoning a vehicle, offering the offender the opportunity to discharge any liability for the offence. The sum is set at £200 by paragraph (8) which can be amended by order as set out in paragraph (9). Under paragraph (10) the district council to which a fixed penalty is payable may provide for treating it as having been paid if a lesser amount is paid before the end of such (shorter) period as it may specify.

New Article 29B enables an authorised officer of a district council to require the name and address of the person to whom he proposes to issue a fixed penalty notice. A person commits an offence if he fails to provide the information required or gives false or inaccurate details.

New Article 29C enables district councils to use the receipts from these penalties for the purposes of specified functions.