

SCHEDULES

SCHEDULE 8

AMENDMENTS

The Road Traffic (Northern Ireland) Order 1995 (NI 18)

19. For Article 50 (traffic directions for purposes of traffic surveys) substitute the following Article—

“Contravention of traffic signs

50.—(1) If a person, without reasonable excuse, contravenes an indication given by a traffic sign which is—

- (a) of the prescribed size, colour and type, or
- (b) of another character authorised by the Department under Article 28 of the Road Traffic Regulation (Northern Ireland) Order 1997,

and which has been lawfully placed on or near a road, except where that indication is at variance with an indication given by a constable in uniform, he is guilty of an offence.

(2) A traffic sign shall not be treated for the purposes of this Article as having been lawfully placed unless either—

- (a) the indication given by the sign is an indication of a statutory prohibition, restriction or requirement, or
- (b) it is expressly provided by or under any provision of the Road Traffic Orders that this Article shall apply to the sign or to signs of a type of which the sign is one;

and, where the indication mentioned in sub-paragraph (a) is of the general nature only of the prohibition, restriction or requirement to which the sign relates, a person shall not be convicted of failure to comply with the indication unless he has failed to comply with the prohibition, restriction or requirement to which the sign relates.

(3) For the purposes of this Article a traffic sign placed on or near a road shall be deemed—

- (a) to be of the prescribed size, colour and type, or of another character authorised by the Department under Article 28 of the Road Traffic Regulation (Northern Ireland) Order 1997, and
- (b) (subject to paragraph (2)) to have been lawfully so placed,

unless the contrary is proved.

(4) Where a traffic survey of any description is carried out on or in the vicinity of a road, this Article applies to a traffic sign by which a direction (as defined in Article 49(4)) is given for the purposes of the survey.

(5) The Department may make regulations specifying any traffic sign for the purposes of column (5) of the entry in Schedule 1 to the Offenders Order relating to offences under this Article (offences committed by contravention of certain traffic signs involve discretionary disqualification).”.