

*Status: Point in time view as at 27/06/2007.*

*Changes to legislation: The Road Traffic (Northern Ireland) Order 2007, Cross Heading: Increase in penalty points is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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## STATUTORY INSTRUMENTS

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# 2007 No. 916

## The Road Traffic (Northern Ireland) Order 2007

### PART II

#### OFFENCES AND ENFORCEMENT

##### *Increase in penalty points*

#### Offences concerning the wearing of seat belts

3. In Part I of Schedule 1 to the Offenders Order (prosecution and punishment of offences)–
- (a) for columns (5) to (7) of the entry relating to offences under Article 23 of the Order of 1995 (driving or riding in a motor vehicle in contravention of regulations requiring the wearing of seat belts) substitute–

“Discretionary.	Obligatory.	(a) 3 if committed by driving a motor vehicle in contravention of regulations requiring wearing of seat belts.
		(b) 2 if committed by riding in a motor vehicle in contravention of regulations requiring wearing of seat belts.”;

- (b) for columns (5) to (7) of the entry relating to offences under Article 24(2) of the Order of 1995 (driving motor vehicle with child in front not wearing seat belt) substitute–

“Discretionary.	Obligatory.	3”;
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- (c) for columns (5) to (7) of the entry relating to offences under Article 24(5) of the Order of 1995 (driving motor vehicle with child in rear not wearing seat belt) substitute–

“Discretionary.	Obligatory.	3”;
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### Commencement Information

- II** Art. 3 partly in operation; art. 3 not in operation at date of making see art. 1(3); art. 3(a) in operation for certain purposes at 27.6.2007 and art. 3(b)(c) in operation at 27.6.2007 by S.R. 2007/302, art. 2, Sch.

### Failure to give information for purposes of identification to police

**4.** In Part I of Schedule 1 to the Offenders Order (prosecution and punishment of offences) in column (7) of the entry relating to Article 177 of the Order of 1981 (failure of driver or owner to give information for purposes of identification to police) for “3” substitute “ 6 ”.

### Contravention of temporary speed restriction

**5.—(1)** In Part I of Schedule 1 to the Offenders Order (prosecution and punishment of offences) for columns (5) to (7) of the entry relating to Article 7 of the Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2) (temporary traffic regulation) substitute—

“Discretionary if committed by contravening temporary speed restriction under Article 7(3)(b).	Obligatory if committed as described in column (5).	3-6 if as described in column (5)”,
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(2) In Article 23 of the Offenders Order (speeding offences etc: admissibility of certain evidence) before paragraph (2)(a) insert—

- “(az) an offence under Article 7 of the Road Traffic Regulation (Northern Ireland) Order 1997 consisting in the contravention of a temporary speed restriction under paragraph (3) (b) of that Article;”.

### Breach of requirements as to control of vehicle, mobile telephones etc.

**6.—(1)** After Article 56 of the Order of 1995 insert—

#### “Breach of requirements as to control of vehicle, mobile telephones etc.

**56A.** A person who contravenes a construction and use requirement—

- (a) as to not driving a motor vehicle in a position which does not give proper control or a full view of the road and traffic ahead, or not causing or permitting the driving of a motor vehicle by another person in such a position, or
- (b) as to not driving or supervising the driving of a motor vehicle while using a hand-held mobile telephone or other hand-held interactive communication device, or not causing or permitting the driving of a motor vehicle by another person using such a telephone or other device,

is guilty of an offence.”.

(2) In Article 58(a) of that Order (breach of other construction and use requirements) after “56(a)” insert “, 56A ”.

(3) In Part I of Schedule 1 to the Offenders Order (prosecution and punishment of offences) after the entry relating to offences under Article 56 of the Order of 1995 insert—

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“Article 56A	Breach of requirements as to control of vehicle, mobile telephones etc.	Summarily.	(a) Level 4 on the standard scale if committed in respect of a goods vehicle or a vehicle adapted to carry more than 8 passengers.  (b) Level 3 on the standard scale in any other case.
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