

2014 No. 233

ROAD TRAFFIC AND VEHICLES

**The Road Traffic (Financial Penalty Deposit) (Amendment)
Order (Northern Ireland) 2014**

Made - - - - - *18th September 2014*

Coming into operation - - - - - *31st October 2014*

The Department of the Environment makes the following Order in exercise of the powers conferred by Article 91B(2)(b) of the Road Traffic Offenders (Northern Ireland) Order 1996(a).

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

Citation and commencement

1. This Order may be cited as the Road Traffic (Financial Penalty Deposit) (Amendment) Order (Northern Ireland) 2014 and shall come into operation on 31st October 2014.

Amendment of the Road Traffic (Financial Penalty Deposit) Order

2.—(1) The Schedule to the Road Traffic (Financial Penalty Deposit) Order (Northern Ireland) 2012(b) is amended in accordance with paragraphs (2) and (3).

(2) In Table 1 (Transport Act (Northern Ireland) 1967) omit—

“Section 17(3)	Using goods vehicle on road for carriage of goods except under vehicle licence”
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(3) After Table 8 (Road Traffic Regulation (Northern Ireland) Order 1997) insert—

“Table 8A

Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010(c)

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 1(6)	Using goods vehicle on road for carriage of goods except under operator’s licence

(a) S.I. 1996/1320 (N.I. 10); Part IVA (which includes Articles 91A to 91F) was inserted by Article 12 of S.I. 2007/916 (N.I. 10)
 (b) S.R. 2012 No. 17
 (c) 2010 c. 2 (N.I.)

Table 8B

HGV Road User Levy Act 2013(a)

<i>Provision creating offence</i>	<i>General nature of offence</i>
Section 11(1)	Using or keeping a heavy goods vehicle on a road without paying the HGV road user levy”

Sealed with the Official Seal of the Department of the Environment on 18th September 2014



Iain Greenway
A senior officer of the
Department of the Environment

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Schedule to the Road Traffic (Financial Penalty Deposit) Order (Northern Ireland) 2012 (“the 2012 Order”) by adding to the list of offences for which a financial penalty deposit may be imposed the offence of using or keeping a heavy goods vehicle on a road without paying the HGV road user levy under section 11(1) of the HGV Road User Levy Act 2013.

The Order also makes a minor amendment as a consequence of the implementation of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010 (“the Goods Vehicles Act”) by omitting section 17(3) of the Transport Act (Northern Ireland) 1967 in Table 1 and re-introducing the offence under section 1(6) of the Goods Vehicles Act in Table 8A.

An Explanatory Memorandum 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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STATUTORY RULES OF NORTHERN IRELAND

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The Road Traffic (Financial Penalty Deposit) (Amendment)
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£4.25

N6278 09/2014 446278T 19585

ISBN 978-0-337-99495-1



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