



Road Traffic Act 1960

1960 CHAPTER 16 8 and 9 Eliz 2

PART VII

MISCELLANEOUS AND GENERAL

Legal Proceedings and Destination of Fines

241^{F1}

Textual Amendments

F1 S. 241 repealed by Road Traffic Act 1972 (c. 20), Sch. 9 Pt. I

242 Evidence by certificate.

(1) In any proceedings in England or Wales for an offence to which section two hundred and thirty-two of this Act applies a certificate in the prescribed form, purporting to be signed by a constable and certifying that a person specified in the certificate stated to the constable—

- (a) that a particular motor vehicle was being driven [^{F2}or used] by, or belonged to, that person on a particular occasion; or
- (b) that a particular motor vehicle [^{F3}on a particular occasion was used by or belonged to] a firm in which that person also stated that he was at the time of the statement a partner; or
- (c) that a particular motor vehicle [^{F3}on a particular occasion was used or belonged to] a corporation of which that person also stated that he was at the time of the statement a director, officer or employee,

shall be admissible as evidence for the purpose of determining by whom the vehicle was being driven, [^{F2}or used] or to whom it belonged, as the case may be, on that occasion.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Road Traffic Act 1960, Cross Heading: Legal Proceedings and Destination of Fines. (See end of Document for details)

- (2) Nothing in the foregoing subsection shall be deemed to make a certificate admissible as evidence in proceedings for an offence except in a case where and to the like extent to which oral evidence to the like effect would have been admissible in those proceedings.
- (3) Nothing in subsection (1) of this section shall be deemed to make a certificate admissible as evidence in proceedings for an offence—
- (a) unless a copy thereof has, not less than seven days before the hearing or trial, been served in the prescribed manner on the person charged with the offence; or
 - (b) if that person, not later than three days before the hearing or trial or within such further time as the court may in special circumstances allow, serves a notice in the prescribed form and manner on the prosecutor requiring attendance at the trial of the person who signed the certificate.
- (4) In this section “prescribed” means prescribed by rules made by the Secretary of State by statutory instrument.

Textual Amendments

- F2** Words inserted by [Road Traffic Act 1962 \(c. 59\)](#), [Sch. 4 Pt. I](#) and continues to have effect (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 2 para. 8](#)
- F3** Words substituted by [Road Traffic Act 1962 \(c. 59\)](#), [Sch. 4 Pt. I](#) and continues to have effect (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 2 para. 8](#)

243 Proof, in summary proceedings, of identity of driver of vehicle.

Where on the summary trial in England or Wales of an information for an offence to which section two hundred and thirty-two of this Act applies—

- (a) it is proved to the satisfaction of the court, on oath or in manner prescribed by rules made under section fifteen of the Justices of the ^{M1}Peace Act 1949, that a requirement under subsection (2) of the said section two hundred and thirty-two to give information as to the identity of the driver of a particular vehicle on the particular occasion to which the information relates has been served on the accused by post; and
 - (b) a statement in writing is produced to the court purporting to be signed by the accused that the accused was the driver of that vehicle on that occasion,
- the court may accept that statement as evidence that the accused was the driver of that vehicle on that occasion.

Marginal Citations

- M1** 1949 c. 101.

244 Time for commencing summary proceedings for certain offences.

Summary proceedings for an offence under section . . . ^{F4} two hundred and thirty-three of ^{F5} or an offence under section 235 of this Act or an offence under section 99(5) of the Transport Act 1968 may be brought]—

Status: Point in time view as at 01/02/1991.

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- (a) within a period of six months [^{F6}from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge; but no such proceedings shall be brought by virtue of this section more than three years after the commission of the offence.] For the purposes of this section a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

Textual Amendments

- F4** Words repealed by [Road Traffic Act 1972 \(c. 20\)](#), **Sch. 9 Pt. I**
F5 Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, **Sch. 3 para. 2(2)**
F6 Words substituted by [Vehicle and Driving Licences Act 1969 \(c. 27\)](#), **Sch. 2 para. 11**

245 **F7**

Textual Amendments

- F7** [S. 245](#) repealed by [Road Traffic Act 1962 \(c. 59\)](#), **Sch. 5**

246 **F8**

Textual Amendments

- F8** [S. 246](#) repealed by [Criminal Justice \(Scotland\) Act 1980 \(c. 62\)](#), **Sch. 8**

247 **Destination of fines.**

(1) **F9**

[^{F10}(2) There shall be paid into the Consolidated Fund all fines imposed in respect of offences committed in Scotland under the foregoing provisions of this Act or the regulations thereunder.]

Textual Amendments

- F9** [S. 247\(1\)](#) repealed by [Criminal Justice Act 1972 \(c. 71\)](#), **Sch. 6 Pt. II**
F10 [S. 247\(2\)](#) substituted by virtue of [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, **Sch. 3 para. 2(3)**

Status:

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Changes to legislation:

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