



# Road Traffic Act 1960

## 1960 CHAPTER 16

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Legal Proceedings and Destination of Fines*

#### **241 Restrictions on prosecutions for certain offences**

- (1) This section applies to offences against any of the following provisions of this Act, namely,—
- (a) subsection (1) of section two,
  - (b) subsection (1) of section three,
  - (c) section nine,
  - (d) subsection (1) of section ten,
  - (e) subsection (1) of section fourteen,
  - (f) section sixteen,
  - (g) subsection (1) of section nineteen, and
  - (h) subsection (1) of section twenty-four.
- (2) Subject to the following provisions of this section, where a person is prosecuted for an offence to which this section applies he shall not be convicted unless either—
- (a) he was warned at the time the offence was committed that the question of prosecuting him for some one or other of the offences to which this section applies would be taken into consideration; or
  - (b) within fourteen days of the commission of the offence a summons (or, in Scotland, a complaint) for the offence was served on him; or
  - (c) within the said fourteen days a notice of the intended prosecution specifying the nature of the alleged offence and the time and place where it is alleged to have been committed, was—
    - (i) except in the case of an offence against section nine or subsection (1) of section ten, served on or sent by registered post to him or the

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*Status: This is the original version (as it was originally enacted).*

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- person, if any, registered as the owner of the vehicle at the time of the commission of the offence ;
- (ii) in the said excepted case, served on or sent by registered post to him.
- (3) The requirement of the last foregoing subsection shall in every case be deemed to have been complied with unless and until the contrary is proved.
- (4) Failure to comply with the requirement of subsection (2) of this section shall not be a bar to the conviction of the accused in a case where the court is satisfied—
- (a) that neither the name and address of the accused nor the name and address of the registered owner, if any, could with reasonable diligence have been ascertained in time for a summons or, as the case may be, a complaint to be served or for a notice to be served or sent in compliance with the said requirement; or
  - (b) that the accused by his own conduct contributed to the failure.
- (5) A person may be convicted of an offence against subsection (1) of section two of this Act by virtue of subsection (2) or (3) of that section notwithstanding that the requirement of subsection (2) of this section has not been satisfied as respects that offence.
- (6) A person may be convicted of an offence against subsection (1) of section three of this Act notwithstanding that the requirement of subsection (2) of this section has not been satisfied as respects that offence where—
- (a) the charge for the said offence has been preferred against him by virtue of subsection (2) of the said section three ; and
  - (b) the said requirement has been satisfied, or does not apply, as respects the alleged offence against subsection (1) of section two of this Act.
- (7) A person may be convicted of an offence against subsection (1) of section ten of this Act notwithstanding that the requirement of subsection (2) of this section has not been satisfied as respects that offence where—
- (a) the charge for the said offence has been preferred against him by virtue of subsection (2) of the said section ten; and
  - (b) the said requirement has been satisfied, or does not apply, as respects the alleged offence against section nine of this Act.