

1970 No. 1209

CRIMINAL PROCEDURE, ENGLAND AND WALES

**The Fixed Penalty (Procedure) (Amendment) (No. 4)
Regulations 1970**

<i>Made</i>	- - -	10th August 1970
<i>Laid before Parliament</i>		20th August 1970
<i>Coming into Operation—</i>		
<i>Regulation 2</i>		1st September 1970
<i>Regulation 3</i>		1st October 1970

In pursuance of the powers conferred upon me by section 80(11) of the Road Traffic Regulation Act 1967(a), I hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Fixed Penalty (Procedure) (Amendment) (No. 4) Regulations 1970.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(3) These Regulations shall not extend to Scotland.

(4) Regulation 2 of these Regulations shall come into operation on 1st September 1970 and Regulation 3 on 1st October 1970.

(5) On the coming into operation of Regulation 3 of these Regulations the Fixed Penalty (Procedure) (Amendment) Regulations 1970(c), the Fixed Penalty (Procedure) (Amendment) (No. 2) Regulations 1970(d), the Fixed Penalty (Procedure) (Amendment) (No. 3) Regulations 1970(e) and Regulation 2 of these Regulations shall be revoked.

2. In Regulation 4(1) of the Fixed Penalty (Procedure) Regulations 1970(f), as amended (g), there shall be inserted after sub-paragraph (f) the following sub-paragraph—

“(ff) if the offence alleged was committed in the administrative county of Hampshire, to the clerk to the justices for the Winchester petty sessional division ;”.

3. For Regulation 4 of the last-mentioned Regulations there shall be substituted the following Regulation—

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| (a) 1967 c. 76. | (b) 1889 c. 63. |
| (c) S.I. 1970/449 (1970 I, p. 1522). | (d) S.I. 1970/719 (1970 II, p. 2269). |
| (e) S.I. 1970/1055 (1970 II, p. 3288). | (f) S.I. 1970/198 (1970 I, p. 869). |
| (g) S.I. 1970/449, 719, 1055 (1970 I, p. 1522; II, p. 2269; II, p. 3288). | |

- “4. Payment of a fixed penalty shall be made—
- (a) if the offence was committed in any of the areas of Greater London referred to in section 2(1) of the Administration of Justice Act 1964(a), to the chief clerk at the Marylebone magistrates’ court ;
 - (b) if the offence was committed in the petty sessional division of Campden, Cheltenham, Newent, Northleach, Stow-on-the-Wold, Tewkesbury or Winchcombe, to the clerk to the justices for the Cheltenham petty sessional division ;
 - (c) if the offence was committed in the administrative county of Hampshire, to the clerk to the justices for the Winchester petty sessional division ;
 - (d) if the offence was committed elsewhere, to the clerk to the justices for the petty sessions area in which the offence alleged was committed.”.

R. Maudling,
One of Her Majesty’s Principal
Secretaries of State.

Home Office,
Whitehall.

10th August 1970.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Regulation 2 of these Regulations, which comes into operation on 1st September 1970 and amends Regulation 4 of the Fixed Penalty (Procedure) Regulations 1970, provides that payment of a fixed penalty for an offence committed in the administrative county of Hampshire shall be made to the clerk to the justices for the Winchester petty sessional division.

Regulation 3, which comes into operation on 1st October 1970, substitutes a new Regulation 4 in the 1970 Regulations. Paragraph (a) of the new Regulation 4 provides that all payments for offences committed in Greater London other than the City shall be made to the chief clerk at the Marylebone magistrates’ court. Previous regulations, which are revoked, made this provision in respect of all commission areas in Greater London except the north-east London area. The effect of this paragraph is to apply the provision to that area also. Apart from this alteration, the new Regulation consolidates the previous Regulation 4 and the provisions amending it, including the provision inserted in it by Regulation 2 of these Regulations.

(a) 1964. c. 42.

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