
STATUTORY INSTRUMENTS

1986 No. 555 (S. 55)

CRIMINAL LAW, SCOTLAND

ROAD TRAFFIC

The Fixed Penalty (Increase) (Scotland) (No. 2) Order 1986

<i>Made</i>	- - - -	<i>17th March 1986</i>
<i>Laid before Parliament</i>		<i>25th March 1986</i>
<i>Coming into Operation</i>		<i>15th April 1986</i>

The Secretary of State, in exercise of the powers conferred upon him by section 29(5) of the Transport Act 1982(a), and of all other powers enabling him in that behalf, and after having consulted with such representative organisations as he thinks fit in accordance with section 73(3) of the said Act, hereby makes the following order:-

1. This order, which extends to Scotland only, may be cited as the Fixed Penalty (Increase) (Scotland) (No. 2) Order 1986 and shall come into operation on 15th April 1986.

2. In section 29(4) of the Transport Act 1982 -

- (a) for the amount “£20” there shall be substituted the amount “£24”; and
(b) for the amount “£10” there shall be substituted the amount “£12”.

John J. MacKay,
Parliamentary Under Secretary of State,
Scottish Office.

New St Andrew's House,
Edinburgh.
17th March 1986.

(a) 1982 c.49.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This order, which extends to Scotland only, increases the amounts of the fixed penalties which may be offered by the procurator fiscal as an alternative to prosecution for certain road traffic offences, under Part III of the Transport Act 1982. The fixed penalty for an offence involving obligatory endorsement of a driving licence is increased from £20 to £24 and for other offences from £10 to £12.

These fixed penalties are available under the procedure authorised by section 42 of the 1982 Act. That section applies only in Scotland. The procurator fiscal offers the alleged offender an opportunity to avoid prosecution and conviction for an offence by paying a fixed penalty (and, where appropriate, submitting his driving licence for endorsement). The offences to which this procedure can be applied are the road traffic offences listed in Schedules 1 and 2 to the 1982 Act.

Those provisions of Part III of the 1982 Act which are relevant to the procedure under section 42 have been brought into force in Scotland only by the Transport Act 1982 (Scotland) (Commencement No. 1) Order 1983. (S.I. 1983/650.).

The fixed penalties as increased by this order will apply also to those provisions of Part III of the 1982 Act which enable police constables to issue fixed penalty notices in relation to the road traffic offences listed in Schedule 1 to that Act, but these provisions are not yet in force.

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