
STATUTORY INSTRUMENTS

1992 No. 435 (S. 50)

CRIMINAL LAW, SCOTLAND

The Fixed Penalty (Increase) (Scotland) Order 1992

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| <i>Made</i> | - - - - | <i>2nd March 1992</i> |
| <i>Laid before Parliament</i> | | <i>11th March 1992</i> |
| <i>Coming into force</i> | - - | <i>1st April 1992</i> |

The Secretary of State, in exercise of the powers conferred on him by section 53(3) of the Road Traffic Offenders Act 1988(1), 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 88(2) of that Act, hereby makes the following Order:

1. This Order, which extends to Scotland only, may be cited as the Fixed Penalty (Increase) (Scotland) Order 1992 and shall come into force on 1st April 1992.
2. In section 53(2) of the Road Traffic Offenders Act 1988—
 - (a) for the sum of £32 specified in paragraph (a)(2) there shall be substituted the sum of £40; and
 - (b) for the sum of £16 specified in paragraph (b)(3) there shall be substituted the sum of £20.
3. Nothing in this Order shall affect the penalty for an offence alleged to have been committed before it comes into force.
4. The Fixed Penalty (Increase) (Scotland) Order 1990(4) is hereby revoked.

St Andrew's House,
Edinburgh
2nd March 1992

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

(1) 1988 c. 53.
(2) The sum specified in paragraph (a) is as substituted by S.I. 1990/467.
(3) The sum specified in paragraph (b) is as substituted by S.I. 1990/467.
(4) S.I. 1990/467.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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 Road Traffic Offenders Act 1988. The fixed penalty for an offence involving obligatory endorsement of a driving licence is increased from £32 to £40 and for other offences from £16 to £20.

The offences to which the fixed penalty procedure can be applied are the road traffic offences listed in Schedule 3 and 5 to the Act.

The fixed penalties as increased by this Order will apply also to those provisions of Part III of the Act which enable police constables to issue fixed penalty notices in relation to the road traffic offences listed in Schedule 3 to the Act but these provisions are only in force in so far as they relate to stationary vehicles.