

2003 No. 1253

**CRIMINAL LAW, ENGLAND AND WALES
CRIMINAL LAW, SCOTLAND**

The Fixed Penalty Offences Order 2003

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| <i>Made</i> - - - - - | <i>8th May 2003</i> |
| <i>Laid before Parliament</i> | <i>8th May 2003</i> |
| <i>Coming into force</i> - - | <i>1st June 2003</i> |

The Secretary of State, in exercise of the powers conferred upon him by section 51(3) of the Road Traffic Offenders Act 1988(a), and after consultation in accordance with section 88(2) of that Act with such representative organisations as he thinks fit, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Fixed Penalty Offences Order 2003 and shall come into force on 1st June 2003.

Amendment of the Road Traffic Offenders Act 1988

2.—(1) The offences specified in paragraph (2) below shall be fixed penalty offences for the purposes of Part 3 of the Road Traffic Offenders Act 1988.

(2) The offences referred to in paragraph (1) above are—

- (a) an offence contrary to section 47 of the Road Traffic Act 1988(b) (using a motor vehicle without the required test certificate being in force);
- (b) an offence contrary to section 143 of the Road Traffic Act 1988(c) (using a motor vehicle while uninsured or unsecured against third party risks); and
- (c) an offence contrary to section 172 of the Road Traffic Act 1988(d) (failure of person keeping vehicle and others to give the police information as to the identity of the driver, etc, in the case of certain offences).

(3) In consequence of the provisions of paragraphs (1) and (2) above, the entries in Schedule 3 to the Road Traffic Offenders Act 1988 shall be modified as follows—

- (a) after the entry relating to section 42 of the Road Traffic Act 1988 there shall be inserted “RTA section 47” in column (1) and “Using, etc, vehicle without required test certificate being in force” in column (2);
- (b) after the entry relating to section 87(1) of the Road Traffic Act 1988 there shall be inserted “RTA section 143” in column (1) and “Using motor vehicle while uninsured or unsecured against third party risks” in column (2); and

(a) 1988 c. 53.

(b) 1988 c. 52. Section 47 was amended by the Vehicle Excise and Registration Act 1994 (c. 22), section 63 and paragraphs 24(2)(a), (b) and (c) of Schedule 3 and the Finance Act 1994 (c. 9), section 5 and paragraphs 25 and 29 of Schedule 2.

(c) 1988 c. 52. Section 143 was amended by regulations 2(1) and (2) of the Motor Vehicles (Compulsory Insurance) Regulations 2000 (S.I. 2000/726).

(d) 1988 c. 52. Section 172 was substituted by the Road Traffic Act 1991 (c. 27), section 21 and was amended by the Vehicle Excise and Registration Act 1994 (c. 22), section 63 and paragraph 24(1) of Schedule 3.

- (c) after the entry relating to section 163 of the Road Traffic Act 1988 there shall be inserted “RTA section 172” in column (1) and “Failure of person keeping vehicle and others to give the police information as to identity of driver, etc, in the case of certain offences” in column (2).

Home Office
8th May 2003

Bob Ainsworth
Parliamentary Under-Secretary of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the offences listed in article 2 to be fixed penalty offences and makes consequential modifications in Schedule 3 to the Road Traffic Offenders Act 1988, which specifies offences which are fixed penalty offences for the purposes of Part 3 of that Act.

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