
STATUTORY INSTRUMENTS

1978 No. 1049

Pollution Control and Local Government (Northern Ireland) Order 1978

PART II

WASTE ON LAND

Motor vehicles

[^{F1}Use of fixed penalties under Article 29A

29C.—(1) This Article applies in relation to amounts paid to a district council in pursuance of notices under Article 29A (its “fixed penalty receipts”).

(2) A district council may use its fixed penalty receipts only for the purposes of—

- (a) its functions under this Part;
- (b) its functions under Part 8 of the Road Traffic Regulation (Northern Ireland) Order 1997;
- (c) its functions relating to the enforcement of sections 2 and 3 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011; and
- (d) such other of its functions as may be specified in regulations made by the Department.

(3) Regulations made under paragraph (2)(d) may in particular have the effect that a district council may use its fixed penalty receipts for the purposes of any of its functions.

(4) A district council shall supply the Department with such information relating to its use of its fixed penalty receipts as the Department may require.

(5) The Department may by regulations—

- (a) make provision for what a district council is to do with its fixed penalty receipts—
 - (i) pending their being used for the purposes of functions of the council referred to in paragraph (2);
 - (ii) if they are not so used before such time after their receipt as may be specified by the regulations;
- (b) make provision for accounting arrangements in respect of a district council's fixed penalty receipts.

(6) The provision that may be made under paragraph (5)(a)(ii) includes (in particular) provision for the payment of sums to a person (including the Department) other than the district council.

(7) Before making regulations under this Article, the Department shall consult—

- (a) district councils;
- (b) such other persons as the Department thinks fit.]

Changes to legislation: There are currently no known outstanding effects for the Pollution Control and Local Government (Northern Ireland) Order 1978, Section 29C. (See end of Document for details)

F1 Arts. 29A-29C inserted (18.1.2012 for specified purposes, 1.4.2012 in so far as not already in operation) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\)](#), **ss. 7, 78**; [S.R. 2012/13](#), **art. 2(1)(2)**, **Sch. 1**, **Sch. 2**

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