

SCHEDULES

SCHEDULE 4

MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

AMENDMENTS RELATING TO DRINKING AND DRIVING

The Road Traffic (Northern Ireland) Order 1981 (NI 1)

12. In Schedule 4 (table of offences, etc.)—

(a) omit the entry relating to Article 141; and

(b) for the entries relating to Articles 144 to 147 substitute the following entries—

| Article of Order | General Nature of Offence | Mode of Prosecution | Punishment |
|------------------|---|---------------------|---|
| 143(1) | Driving or attempting to drive when unfit to drive through drink or drugs. | Summary | A fine of level 5 on the standard scale or imprisonment for 6 months or both. |
| 143(2) | Being in charge of a motor vehicle when unfit to drive through drink or drugs. | Summary | A fine of level 4 on the standard scale or imprisonment for 3 months or both. |
| 144(1)(a) | Driving or attempting to drive with excess alcohol in breath, blood or urine. | Summary | A fine of level 5 on the standard scale or imprisonment for 6 months or both. |
| 144(1)(b) | Being in charge of a motor vehicle with excess alcohol in breath, blood or urine. | Summary | A fine of level 4 on the standard scale or imprisonment for 3 months or both. |
| 145 | Failing to provide a specimen of breath for a preliminary breath test. | Summary | A fine of level 3 on the standard scale. |
| 146 | Failing to provide specimen for analysis or laboratory test. | Summary | (a) (a) Where the specimen was required to ascertain ability to |

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| Article of Order | General Nature of Offence | Mode of Prosecution | Punishment |
|------------------|---------------------------|---------------------|--|
| | | | <p>drive or proportion of alcohol at the time offender was driving or attempting to drive, a fine of level 5 on the standard scale or imprisonment for 6 months or both.</p> <p>(b) in any other case, a fine of level 4 on the standard scale or imprisonment for 3 months or both.</p> |

The Police and Criminal Evidence (Northern Ireland) Order 1989 NI 12

- 13.—(1) In Article 35(7), for “Article 146(3)(b)” substitute “Article 145(5)”.
- (2) In Article 36(6)(d), omit “144”.
- (3) In Article 62(11), for “141 to 152” substitute “143 to 152A”.