STATUTORY INSTRUMENTS

1996 No. 1320

The Road Traffic Offenders (Northern Ireland) Order 1996

[F1PART IVA

FINANCIAL PENALTY DEPOSITS

[F1Prohibition on driving on failure to make payment

91E.—(1) This Article applies where a person on whom a financial penalty deposit requirement is imposed does not make an immediate payment of the appropriate amount in accordance with Article 91C(1) (and any order made under it).

(2) The constable or vehicle examiner by whom the requirement was imposed may prohibit the driving on a road of any vehicle of which the person was in charge at the time of the offence by giving to the person notice in writing of the prohibition.

(3) The prohibition–

(a) shall come into force as soon as the notice is given; and

(b) shall continue in force until the happening of whichever of the events in paragraph (4) occurs first.

(4) Those events are–

(a) the person making a payment of the appropriate amount in accordance with Article 91C(1) (and any order made under it) at any time during the relevant period;

(b) (where a fixed penalty notice was given to the person in respect of the offence) payment of the fixed penalty;

(c) the person being convicted or acquitted of the offence;

(d) the person being informed that he is not to be prosecuted for the offence; and

(e) the coming to an end of the prosecution period.

(5) A constable or vehicle examiner may by direction in writing require the person to remove the vehicle to which the prohibition relates (and, if it is a motor vehicle drawing a trailer, also to remove the trailer) to such place and subject to such conditions as are specified in the direction; and the prohibition does not apply to the removal of the vehicle (or trailer) in accordance with the direction.

(6) A person who–

(a) drives a vehicle in contravention of a prohibition under this Article;

(b) causes or permits a vehicle to be driven in contravention of such a prohibition; or

(c) fails to comply within a reasonable time with a direction under paragraph (5),

is guilty of an offence.

(7) The Department may by order provide for exceptions from paragraph (6).

(8) Where a constable in uniform has reasonable grounds for suspecting that an offence under paragraph (6) has been committed or attempted, or is being committed or attempted, he may arrest the relevant person without warrant.

(9) In this Article "the relevant person" means any person whom the constable has reasonable grounds to suspect of having committed or having attempted to commit the offence or of being in the course of committing or attempting to commit it.**]**

F1 Pt. IVA (arts. 91A-91F) inserted (23.4.2012) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), **12(1)**; S.R. 2012/16, **art. 2**, Sch.

Changes to legislation:
The Road Traffic Offenders (Northern Ireland) Order 1996, Section 91E is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:
Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 15(1) power to apply conferred by SI 1981/154 (N.I. 1) Sch. 2A para. 7 (as inserted) by S.I. 2007/916 (N.I.) Sch. 3
- art. 31(3) inserted by S.I. 2007/916 (N.I.) art. 10(2)
- art. 35(1ZA)-(1ZC) inserted by 2016 c. 11 (N.I.) s. 12(2)
- art. 35(3A) inserted by 2016 c. 11 (N.I.) s. 13(2)
- art. 36(3A) inserted by 2009 c. 25 Sch. 21 para. 92(3)(d)
- art. 36(4A) inserted by 2016 c. 11 (N.I.) s. 14(2)
- art. 36(9)(b) word inserted by 2016 c. 11 (N.I.) s. 14(5)(a)
- art. 36(9)(c) word repealed by 2016 c. 11 (N.I.) s. 14(5)(b)Sch. 2
- art. 36(9)(d) repealed by 2016 c. 11 (N.I.) s. 14(5)(c)Sch. 2
- art. 37(2A) inserted by 2009 c. 25 Sch. 21 para. 92(4)(c)
- art. 38A(5A) inserted by 2009 c. 25 Sch. 21 para. 92(5)(c)
- art. 38A(6A) inserted by 2009 c. 25 Sch. 21 para. 92(5)(e)
- art. 42(2A) inserted by 2009 c. 25 Sch. 21 para. 92(7)(c)
- art. 47(3A) inserted by 2009 c. 25 Sch. 21 para. 92(8)(b)
- art. 47(3B) inserted by 2009 c. 25 Sch. 21 para. 92(8)(c)
- art. 52(2ZA) inserted by 2009 c. 25 Sch. 21 para. 92(9)(b)
- art. 54A inserted by 2016 c. 11 (N.I.) s. 15
- art. 59(2A) inserted by 2016 c. 11 (N.I.) s. 8(2)
- art. 59(4) added by 2016 c. 11 (N.I.) s. 8(3)
- art. 59A-59C inserted by 2016 c. 11 (N.I.) s. 9(1)
- art. 63A(7) added by 2016 c. 11 (N.I.) s. 11(1)(d)
- art. 64B inserted by 2016 c. 11 (N.I.) s. 8(5)