

**TRAFFIC MANAGEMENT  
(NORTHERN IRELAND) ORDER 2005**

**S.I. 2005 No. 1964 (N.I. 14)**

---

**EXPLANATORY MEMORANDUM**

*10.*

**COMMENTARY ON PROVISIONS**

***Article 4: Penalty charges***

This Article provides that a penalty charge is payable with respect to a vehicle involved in a road traffic contravention specified in Schedule 1. The specified contraventions continue to be offences and, therefore, the effect of this Article is to make the contraventions dually enforceable under both criminal and civil law.

Paragraph (6) ensures that criminal proceedings or the issue of a fixed penalty notice take precedence over civil proceedings or the issue of a penalty charge notice.

Paragraph (7) prevents the issue of a fixed penalty notice or criminal proceedings in relation to contraventions which are prescribed under that paragraph. The Department intends to prescribe most of the contraventions in Schedule 1. This will effectively 'decriminalise' them; it is intended that only contraventions relating to pedestrian crossings and compliance with certain traffic signs will remain dually enforceable.