

SCHEDULES

SCHEDULE 1

PROHIBITION ON DRIVING: IMMOBILISATION, REMOVAL AND DISPOSAL OF VEHICLES

Offences connected with immobilisation, etc.

3.—(1) The regulations may provide that a person who fails to comply within a reasonable time with a direction under provision made under paragraph 2(1)(b) is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) The regulations may provide that a person contravening provision made under paragraph 2(7) is guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(3) The regulations may provide that a person who, without being authorised to do so in accordance with provision made under paragraph 2, removes or attempts to remove an immobilisation device fixed to a vehicle in accordance with the regulations is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(4) The regulations may provide that where they would otherwise have applied in relation to a vehicle but for provision made under paragraph 2(6)(a) and the vehicle was not, at the time at which they would otherwise have applied, being used—

- (a) in accordance with regulations under section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 (c. 44), and
- (b) in circumstances falling within section 14B(1)(b) of that Act (use where a disabled person's concession would be available),

the person in charge of the vehicle at that time is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(5) The regulations may provide that where—

- (a) a person makes a declaration with a view to securing the release of a vehicle from an immobilisation device purported to have been fixed in accordance with the regulations,
- (b) the declaration is that the prohibition has been removed, and
- (c) the declaration is to the person's knowledge either false or in any material respect misleading,

he is guilty of an offence.

(6) The regulations may provide that a person guilty of an offence for which provision is made under sub-paragraph (5) is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum, or
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or both.