



Road Traffic Regulation Act 1967

1967 CHAPTER 76

Legal proceedings and destination of fines

89 Evidence by certificate.

- (1) In any proceedings in England or Wales for an offence to which section 85 of this Act applies a certificate in the prescribed form, purporting to be signed by a constable and certifying that a person specified in the certificate stated to the constable—
 - (a) that a particular motor vehicle was being driven or used by, or belonged to, that person on a particular occasion, or
 - (b) that a particular motor vehicle on a particular occasion was used by, or belonged to, a firm in which that person also stated that he was at the time of the statement a partner, or
 - (c) that a particular motor vehicle on a particular occasion was used by, or belonged to, a corporation of which that person also stated that he was at the time of the statement a director, officer or employee,shall be admissible as evidence for the purpose of determining by whom the vehicle was being driven or used, or to whom it belonged, as the case may be, on that occasion.
- (2) Nothing in subsection (1) above shall be deemed to make a certificate admissible as evidence in proceedings for an offence except in a case where and to the like extent to which oral evidence to the like effect would have been admissible in those proceedings.
- (3) Nothing in subsection (1) above shall be deemed to make a certificate admissible as evidence in proceedings for an offence—
 - (a) unless a copy thereof has, not less than seven days before the hearing or trial, been served in the prescribed manner on the person charged with the offence, or
 - (b) if that person, not later than three days before the hearing or trial or within such further time as the court may in special circumstances allow, serves a notice in the prescribed form and manner on the prosecutor requiring attendance at the trial of the person who signed the certificate.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) In this section "prescribed" means prescribed by rules made by the Secretary of State under section 242 of the Road Traffic Act 1960.