



# Road Traffic Act 1960

## 1960 CHAPTER 16

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Legal Proceedings and Destination of Fines*

#### **242 Evidence by certificate**

- (1) In any proceedings in England or Wales for an offence to which section two hundred and thirty-two 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 by, or belonged to, that person on a particular occasion; or
  - (b) that a particular motor vehicle belonged on a particular occasion 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 belonged on a particular occasion 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 to whom it belonged, as the case may be, on that occasion.
- (2) Nothing in the foregoing subsection 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) of this section shall be deemed to make a certificate admissible as evidence in proceedings for an offence—

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*Status: This is the original version (as it was originally enacted).*

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- (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.
- (4) In this section "prescribed" means prescribed by rules made by the Secretary of State by statutory instrument.