
STATUTORY INSTRUMENTS

1996 No. 1320

The Road Traffic Offenders (Northern Ireland) Order 1996

PART IV

FIXED PENALTIES

Giving notices to suspected offenders

Endorsement of [^{F1}counterparts] without hearings

63.—(1) Subject to paragraph (2), where a person [^{F2}who is the holder of a licence] (referred to in this Article as “the licence holder”) [^{F3}has been given a fixed penalty notice under Article 60 in respect of an offence involving obligatory endorsement,] the counterpart of his licence may be endorsed in accordance with this Article without any order of a court.

(2) The counterpart of a person's licence may not be endorsed under this Article if at the end of the suspended enforcement period—

- (a) he has given notice, in the manner specified in the fixed penalty notice, requesting a hearing in respect of the offence to which the fixed penalty notice relates, and
- (b) the fixed penalty has not been paid in accordance with this Part.

(3) On the payment of the fixed penalty before the end of the suspended enforcement period, the [^{F4}person to whom it is paid] must endorse the relevant particulars on the counterpart of the licence and return it together with the licence to the licence holder.

(4) Where any sum determined by reference to the fixed penalty is registered under Article 76 for enforcement against the licence holder as a fine, the [^{F5}person to whom the fixed penalty is required to be paid] must, on the registration of that sum, endorse the relevant particulars on the counterpart of the licence and return it together with the licence to the licence holder.

(5) References in this Article to the relevant particulars are to—

- (a) particulars of the offence, including the date when it was committed, and
- (b) the number of penalty points to be attributed to the offence.

(6) [^{F6}Where the endorsement of] the counterpart of a person's licence under this Article [^{F7}is made by the fixed penalty clerk] the fixed penalty clerk must send notice of the endorsement and of the particulars endorsed to the Department.

[^{F8}(7) Paragraphs (3) and (4) are subject to Article 4(4)(a) of, and paragraph 7(4)(a) of Schedule 1 to, the Road Traffic (New Drivers) (Northern Ireland) Order 1998; and the fixed penalty clerk need not comply with paragraph (6) in a case where he sends a person's licence and its counterpart to the Department under Article 4(4)(b) of, or paragraph 7(4)(b) of Schedule 1 to, that Order.]

F1 Word in art. 63 heading substituted (14.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 39(6), Sch. 4 para. 14(a); S.R. 2010/370, art. 2(2), Sch. Pt. II

Changes to legislation: *The Road Traffic Offenders (Northern Ireland) Order 1996, Section 63 is up to date with all changes known to be in force on or before 01 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. (See end of Document for details) View outstanding changes*

- F2** Words in art. 63(1) inserted (14.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 39(6), **Sch. 4 para. 14(b)**; S.R. 2010/370, **art. 2(2)**, Sch. Pt. II
- F3** Words in art. 63(1) substituted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 16, **Sch. 2 para. 6(a)**; S.R. 2010/370, **art. 2(1)**, Sch. Pt. 1
- F4** Words in art. 63(3) substituted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 16, **Sch. 2 para. 6(b)**; S.R. 2010/370, **art. 2(1)**, Sch. Pt. 1
- F5** Words in art. 63(4) substituted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 16, **Sch. 2 para. 6(c)**; S.R. 2010/370, **art. 2(1)**, Sch. Pt. 1
- F6** Words in art. 63(6) substituted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 16, **Sch. 2 para. 6(d)(i)**; S.R. 2010/370, **art. 2(1)**, Sch. Pt. 1
- F7** Words in art. 63(6) inserted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 16, **Sch. 2 para. 6(d)(ii)**; S.R. 2010/370, **art. 2(1)**, Sch. Pt. 1
- F8** 1998 NI 7

Changes to legislation:

The Road Traffic Offenders (Northern Ireland) Order 1996, Section 63 is up to date with all changes known to be in force on or before 01 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 :

- [art. 63 modified \(temp.\) by 2016 c. 11 \(N.I.\) Sch. 1 para. 5\(b\)](#)

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\(5\)](#)