



# Road Traffic Act 1960

1960 CHAPTER 16 8 and 9 Eliz 2

## 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 [<sup>F1</sup>or used] by, or belonged to, that person on a particular occasion; or
  - (b) that a particular motor vehicle [<sup>F2</sup>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 [<sup>F2</sup>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, [<sup>F1</sup>or used] 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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*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Act 1960, Section 242. (See end of Document for details)*

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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.

#### **Textual Amendments**

- F1** Words inserted by [Road Traffic Act 1962 \(c. 59\)](#), **Sch. 4 Pt. I** and continues to have effect (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 2 para. 8**
- F2** Words substituted by [Road Traffic Act 1962 \(c. 59\)](#), **Sch. 4 Pt. I** and continues to have effect (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 2 para. 8**

**Changes to legislation:**

There are currently no known outstanding effects for the Road Traffic Act 1960, Section 242.