
STATUTORY INSTRUMENTS

1996 No. 1320

The Road Traffic Offenders (Northern Ireland) Order 1996

PART IV

FIXED PENALTIES

The fixed penalty procedure

Payment of penalty

74.—(1) [^{F1}Where a fixed penalty notice has been given or fixed by a constable or authorised person under this Part, payment of the fixed penalty] must be made to such clerk of petty sessions as may be specified in the fixed penalty notice relating to that penalty.

[^{F2}(1A) Where a fixed penalty notice has been given or fixed by a vehicle examiner, or given by the Department, under this Part, payment of the fixed penalty must be made to the Department.]

(2) Without prejudice to payment by any other method, payment of a fixed penalty under this Part may be made by properly addressing, pre-paying and posting a letter containing the fixed penalty notice and the amount of the penalty and, unless the contrary is proved, shall be regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(3) A letter is properly addressed for the purposes of paragraph (2) if it is addressed to the fixed penalty clerk [^{F3}, or the Department,] at the address specified in the fixed penalty notice relating to the fixed penalty as the address at which the fixed penalty may be paid.

(4) Sums paid by way of a fixed penalty for an offence shall be treated as if they were fines imposed on summary conviction of that offence.

(5) References in this Part (except in Articles 80 to [^{F4}82A]), in relation to any fixed penalty or fixed penalty notice, to the fixed penalty clerk are references to the clerk specified in accordance with paragraph (1) in the fixed penalty notice relating to that penalty or (as the case may be) in that fixed penalty notice.

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| F1 | Words in art. 74(1) substituted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3)(5), 16, Sch. 2 para. 12(a) ; S.R. 2010/370, art. 2(1) , Sch. Pt. 1 |
| F2 | Art. 74(1A) inserted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3)(5), 16, Sch. 2 para. 12(b) ; S.R. 2010/370, art. 2(1) , Sch. Pt. 1 |
| F3 | Words in art. 74(3) inserted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3)(5), 16, Sch. 2 para. 12(c) ; S.R. 2010/370, art. 2(1) , Sch. Pt. 1 |
| F4 | Word in art. 74(5) substituted (14.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3)(5), 39(6), Sch. 4 para. 19 ; S.R. 2010/370, art. 2(2) , Sch. Pt. II |

Changes to legislation:

The Road Traffic Offenders (Northern Ireland) Order 1996, Section 74 is up to date with all changes known to be in force on or before 14 May 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. 74(1) words inserted by [2016 c. 11 \(N.I.\) s. 10\(2\)\(a\)](#)
- art. 74(2) words inserted by [2016 c. 11 \(N.I.\) s. 10\(2\)\(b\)](#)
- art. 74(3) words inserted by [2016 c. 11 \(N.I.\) s. 10\(2\)\(c\)](#)
- art. 74(5) words substituted by [2016 c. 11 \(N.I.\) s. 10\(2\)\(d\)\(i\)](#)
- art. 74(5) words substituted by [2016 c. 11 \(N.I.\) s. 10\(2\)\(d\)\(ii\)](#)

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\(5\)](#)