
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 151

The Health Protection (Coronavirus, Wearing of Face Coverings) Regulations (Northern Ireland) 2020

Fixed Penalty Notices

8.—(1) An authorised person may issue a fixed penalty notice to anyone that the authorised person reasonably believes—

- (a) has committed an offence under these Regulations;
- (b) is aged 18 or over.

(2) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of a fixed penalty to the authority specified in the notice.

(3) The authority specified in the notice must, in the case of a notice issued by a constable, be the clerk of petty sessions.

(4) Where a person is issued with a notice under this regulation in respect of an offence—

- (a) no proceedings may be taken for the offence before the end of the period of 28 days following the date of the notice;
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(5) A fixed penalty notice must—

- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;
- (b) state the period during which (because of paragraph (4)(a)) proceedings will not be taken for the offence;
- (c) specify the amount of the fixed penalty;
- (d) state the name and address of the person to whom the fixed penalty may be paid;
- (e) specify permissible methods of payment;
- (f) inform the person to whom it is given of the right to ask to be tried for the offence.

(6) The amount specified under paragraph (5)(c) must, subject to paragraph (7), be £60.

- (a) (7) (a) Unless sub-paragraph (b) applies, a fixed penalty notice must specify that if £30 is paid before the end of the period of 14 days following the date of the notice, that is the amount of the fixed penalty;
- (b) if the person to whom a fixed penalty notice is given has already received a fixed penalty notice under these Regulations—
 - (i) sub-paragraph (a) does not apply, and
 - (ii) the amount specified as the fixed penalty is to be—
 - (aa) in the case of the second fixed penalty notice received, £120;

(bb) in the case of the third and subsequent fixed penalty notice received, double the amount specified in the last fixed penalty notice received by that person, to a maximum of £960.

(8) Whatever other method may be specified under paragraph (5)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated under paragraph (5)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(9) Where a letter is sent as mentioned in paragraph (8), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(10) In any proceedings, a certificate—

- (a) that purports to be signed by or on behalf of the authority specified in the notice, and
- (b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,

is evidence of the facts stated.

(11) In this regulation “authorised person” means—

- (a) a constable;
- (b) a person designated by the Department of Health for the purposes of this regulation.