



Road Traffic Offenders Act 1988

1988 CHAPTER 53

PART III

FIXED PENALTIES

Miscellaneous

82 Accounting for fixed penalties: England and Wales.

- (1) In England and Wales, sums paid by way of fixed penalty for an offence shall be treated for the purposes of [^{F1}section 60 of the Justices of the Peace Act 1997 (application of fines and fees)] as if they were fines imposed on summary conviction for that offence.
- [^{F2}(2) Where, in England and Wales, a justices' clerk for a petty sessions area comprised in the area of one magistrates' courts committee ("the first committee") discharges functions in connection with a fixed penalty for an offence alleged to have been committed in a petty sessions area comprised in the area of another magistrates' courts committee ("the second committee")—
- (a) the paying authority or authorities in relation to the second committee must make to the paying authority or authorities in relation to the first committee such payment in connection with the discharge of those functions as may be agreed between all the paying authorities concerned or, in default of such agreement, as may be determined by the Lord Chancellor, and
 - (b) any such payment between paying authorities shall be taken into account in determining for the purposes of [^{F3}section 57 of the Justices of the Peace Act 1997] the net cost to the responsible authorities of the functions referred to in subsection (1) of that section.
- (2A) In subsection (2) above "paying authority" and "responsible authority" have the same meaning as in section 55 of [^{F4}the Justices of the Peace Act 1997].]
- (3) Subsection (2) above does not apply to functions discharged in connection with a fixed penalty on or after the registration of a sum determined by reference to the penalty under section 71 of this Act.

Status: Point in time view as at 19/06/1997. This version of this provision has been superseded.

Changes to legislation: Road Traffic Offenders Act 1988, Section 82 is up to date with all changes known to be in force on or before 30 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)

Textual Amendments

- F1** Words in s. 82(1) substituted (19.6.1997) by 1997 c. 25, s. 73(2), 74, **Sch. 5**, para. 25(a)
- F2** S. 82(2) substituted (1.4.1995) by 1994 c. 29, s. 91, **Sch. 8 Pt. II**, para 32; S.I. 1995/685, **arts. 4(l), 7(2)**
- F3** Words in s. 82(2)(b) substituted (19.6.1997) by 1997 c. 25, s. 73(2), 74, **Sch. 5 para. 25(b)**
- F4** Words in s. 82(2A) substituted (19.6.1997) by 1997 c. 25, s. 73(2), 74, **Sch. 5 para. 25(c)**

Modifications etc. (not altering text)

- C1** S. 82 modified (*temp.*) (1.4.1995) by S.I. 1995/685, **reg. 6(2)(b)**
S. 82 modified (19.6.1997) by 1997 c. 25, s. 73(1), 74, **Sch. 4 Pt. II**, para. 7(2)(d)(i)
- C2** S. 82(1)(2): Functions of the Secretary of State transferred to the Lord Chancellor (1.4.1992) by S.I. 1992/709, art. 2(1), **Sch. 1**

Status:

Point in time view as at 19/06/1997. This version of this provision has been superseded.

Changes to legislation:

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