

2009 No. 1487

CRIMINAL LAW, ENGLAND AND WALES

CRIMINAL LAW, SCOTLAND

The Fixed Penalty (Amendment) (No. 3) Order 2009

<i>Made</i> - - - -	<i>15th June 2009</i>
<i>Laid before Parliament</i>	<i>16th June 2009</i>
<i>Coming into force</i> - -	<i>30th June 2009</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 53 of the Road Traffic Offenders Act 1988(a) and after consultation in accordance with section 88(2) of that Act with such representative organisations as the Secretary of State thinks fit.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Fixed Penalty (Amendment) (No. 3) Order 2009 and shall come into force on 30th June 2009.

(2) This Order applies in relation to a fixed penalty offence alleged to have been committed on or after 30th June 2009.

(3) In this Order, “the Principal Order” means the Fixed Penalty Order 2000(b).

Amendment of the Principal Order

2. In the table of fixed penalties in Schedule 1 to the Principal Order—

(a) after the entry relating to “any other fixed penalty parking offence committed in Greater London”, insert the following—

“A fixed penalty offence under section 14 (seat belts: adults) of the Road Traffic Act 1988(c)	£60
A fixed penalty offence under section 15(2) or 15(4) (restrictions on carrying children not wearing seat belts in motor vehicles) of the Road Traffic Act 1988	£60”

(a) 1988 c. 53; section 53 was amended by paragraph 102 of Schedule 4 to the Road Traffic Act 1991 (c. 40) and section 3 of the Road Safety Act 2006 (c. 49).
 (b) S.I. 2000/2792 as amended by S.I. 2003/1254 and S.I. 2009/488.
 (c) 1988 c. 52; section 14 was amended by S.I. 1992/3105 and section 110 of the Railways and Transport Safety Act 2003 (c. 20). Section 15 was amended by S.I. 2006/1892, S.I. 1992/3105 and Schedule 8 to the Road Traffic Act 1991 (c. 40).

(b) after the entry relating to “a fixed penalty offence under section 33 of the Vehicle Excise and Registration Act 1994(a)”, insert the following—

“A fixed penalty offence under section 59 of the Vehicle Excise and Registration Act 1994 (failure to fix prescribed registration mark to a vehicle in accordance with regulations made under section 23(4)(a) of that Act)	£60”
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Revocation

3. The Fixed Penalty (Amendment) (No. 2) Order 2009(b) is hereby revoked.

Home Office
15th June 2009

Alan Campbell
Parliamentary Under-Secretary of State

(a) 1994 c. 22; section 33 was amended by paragraph 10 of Schedule 2 to the Finance Act 1996 (c. 8), paragraph 4 of Schedule 3 to the Finance Act 1997 (c. 16), paragraph 10 of Schedule 5 to the Finance Act 2002 (c. 23) and section 147 of the Finance Act 2008 (c. 9). Section 59 was amended by paragraph 15 of Schedule 2 to the Finance Act 1996 (c. 8).

(b) S.I. 2009/1363. This statutory instrument was originally named the Fixed Penalty (Amendment) Order 2009 which is the same name as the statutory instrument numbered S.I. 2009/488. Its name was changed by an authorised correction.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Fixed Penalty Order 2000, which prescribes fixed penalties for the offences which are fixed penalty offences by virtue of section 51 of the Road Traffic Offenders Act 1988.

The Order increases the fixed penalty from £30 to £60 for the offences under section 14 (seat belts: adults), 15(2) and 15(4) (restrictions on carrying children not wearing seat belts in motor vehicles) of the Road Traffic Act 1988 and under section 59 of the Vehicle Excise and Registration Act 1994 (failure to fix prescribed registration mark to a vehicle in accordance with regulations made under section 23(4)(a) of that Act).

The Order also revokes and replaces the Fixed Penalty (Amendment) (No. 2) Order 2009 (S.I. 2009/1363) because of a defect in that Order. It has been certified under regulation 6 of the Statutory Instruments Regulations 1947 that the printing and sale of copies of that Order are unnecessary in light of the fact that this Order will replace it before it comes into force.

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STATUTORY INSTRUMENTS

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