
WELSH STATUTORY INSTRUMENTS

2009 No. 1267

**The Traffic Management Permit
Scheme (Wales) Regulations 2009**

PART 5

Sanctions

Saving from proceedings where fixed penalty notice given

26.—(1) This regulation applies where a person is given a fixed penalty notice in respect of a fixed penalty offence.

(2) No proceedings for the offence may be commenced before the end of the period for payment of the penalty.

(3) No such proceedings may be commenced or continued if payment of the penalty is made before the end of that period or is accepted by the Permit Authority after that time.

(4) Payment of the discounted amount only counts for the purposes of paragraph (3) if it is made before the end of the period for payment of the discounted amount.

(5) In proceedings for the offence, a certificate which—

- (a) purports to be signed by or on behalf of the person having financial responsibility for the permit scheme; and
- (b) states that payment of an amount specified in the certificate was or was not received by a date so specified,

is evidence of the facts stated.

(6) The person having financial responsibility for the permit scheme is —

- (a) where the Permit Authority is a single highway authority, the person having responsibility for the financial affairs of that authority; and
- (b) where the Permit Authority is more than one highway authority, the person appointed by the participating authorities as being responsible for financial accounting in relation to the permit scheme.