



2011 CHAPTER 23

PART 2

VEHICLES

Nuisance parking offences: fixed penalty notices

Use of fixed penalty receipts

6.—(1) This section applies in relation to amounts paid to a district council in pursuance of notices under section 4 (its “fixed penalty receipts”).

(2) A district council may use its fixed penalty receipts only for the purposes of—

- (a) its functions under Part 2 of the Pollution Control and Local Government (Northern Ireland) Order 1978 (NI 19);
- (b) its functions relating to the enforcement of sections 2 and 3;
- (c) its functions under Part 8 of the Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2);
- (d) such other of its functions as may be specified in regulations made by the Department.

(3) Regulations under subsection (2)(d) may (in particular) have the effect that a council may use its fixed penalty receipts for the purposes of any of its functions.

(4) A district council shall supply the Department with such information relating to its use of its fixed penalty receipts as the Department may require.

(5) The Department may by regulations—

Changes to legislation: There are currently no known outstanding effects for the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Section 6. (See end of Document for details)

- (a) make provision for what a district council is to do with its fixed penalty receipts—
 - (i) pending their being used for the purposes of functions of the council referred to in subsection (2);
 - (ii) if they are not so used before such time after their receipt as may be specified by the regulations;
 - (b) make provision for accounting arrangements in respect of a district council's fixed penalty receipts.
- (6) The provision that may be made under subsection (5)(a)(ii) includes (in particular) provision for the payment of sums to a person (including the Department) other than the district council.
- (7) Before making regulations under this section, the Department shall consult—
- (a) district councils;
 - (b) such other persons as the Department thinks fit.

Commencement Information

II S. 6 in operation at 1.4.2012 by S.R. 2012/13, art. 2(2), **Sch. 2**

Changes to legislation:

There are currently no known outstanding effects for the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, Section 6.