



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—

- (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.