

2004 No. 2922

CRIMINAL LAW, ENGLAND AND WALES

CRIMINAL LAW, SCOTLAND

The Fixed Penalty Offences Order 2004

<i>Made</i> - - - -	<i>9th November 2004</i>
<i>Laid before Parliament</i>	<i>10th November 2004</i>
<i>Coming into force</i> - -	<i>1st December 2004</i>

The Secretary of State, in exercise of the powers conferred upon him by section 51(3) 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 he thinks fit, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Fixed Penalty Offences Order 2004 and shall come into force on 1st December 2004.

Amendment of the Road Traffic Offenders Act 1988

2.—(1) The offence under section 18 of the Road Traffic Act 1988(b) (authorisation of head-worn appliances for use on motor cycles) of driving or riding a motor cycle on a road while using eye protectors if—

- (a) the eye protectors are not of a type prescribed by regulations under that section, or
- (b) they are used in contravention of such regulations,

is a fixed penalty offence for the purposes of Part 3 of the Road Traffic Offenders Act 1988.

(2) Accordingly, in Schedule 3 to the Road Traffic Offenders Act 1988 after the entry relating to section 16 of the Road Traffic Act 1988 there shall be inserted “RTA section 18(3)” in column (1) and “Breach of regulations relating to head-worn appliances (eye protectors) for use on motor cycles” in column (2).

Home Office
9th November 2004

Caroline Flint
Parliamentary Under-Secretary of State

(a) 1988 c. 53.
(b) 1988 c. 52.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the offence specified in Article 2(2) to be a fixed penalty offence. Article 2(2) specifies the offence of failing to wear prescribed types of authorised eye protectors when driving or riding on a motor bicycle. Article 2(3) of the Order inserts a reference to that offence in Schedule 3 to the Road Traffic Offenders Act 1988, which lists those offences that are fixed penalty offences for the purposes of Part 3 of that Act.

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