
FIXED PENALTY (AMENDMENT OF SCHEDULES OF ORDINANCE) ORDER 2008

The Administrator makes the following Order in exercise of his powers under section 9(2)(b) and (c) of the Fixed Penalty Ordinance 1998(a).

Citation, commencement and interpretation

1. (1) This Order may be cited as the Fixed Penalty (Amendment of Schedules of Ordinance) Order 2008 and comes into force on the day on which it is published in the Gazette.

(2) The “principal Ordinance” means the Fixed Penalty Ordinance 1998.

Amendment to the First Schedule of the Principal Ordinance

2. (1) The First Schedule to the principle Ordinance is amended as follows.

(2) After serial number 6 there is inserted—

“

Serial No.	Description of offence	Fixed penalty	Ordinance or Regulations	Section/Regulation
6A	Pedestrian on a motorway	€85	Motor Vehicles and Road Traffic (Consolidation) Ordinance 2006 (b)	Section 13B(1)(a)
6B	Cyclist on a motorway	€85	Motor Vehicles and Road Traffic (Consolidation) Ordinance 2006	Section 13B(1)(b)

”.

(3) After serial number 29 there is inserted—

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Serial No.	Description of offence	Fixed penalty	Ordinance or Regulations	Section/Regulation
29A	Motor cycle unable to maintain a speed of 65 kilometres per hour on a motorway	€85	Motor Vehicles and Road Traffic (Consolidation) Ordinance 2007	Section 13B(2)
29B	Animal on a motorway	€85	Motor Vehicles and Road Traffic (Consolidation) Ordinance 2007	Section 13B(1)(b)

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(4) At serial number 42 (Registration Plate – contraventions with regard to plate of registration number), for the fixed penalty of £15 there is substituted €85.

(5) At serial number 55 (Traffic signs – contravention of traffic signs or traffic notices), in the last column, “and 39(1)(k)” is repealed.

(6) After serial number 55, there is inserted—

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Serial No.	Description of offence	Fixed penalty	Ordinance or Regulations	Section/Regulation
55A	Traffic signs – violation of continuous white line marking	€25	Motor Vehicles and Road Traffic Regulations 198(c)	Reg 39(1)(k)

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Amendment to the Second Schedule of the Principal Ordinance

3. The Second Schedule(d) to the principal Ordinance is amended by deleting serial number 77 (failure to comply with closing times of shops).

Dated this 24th day of March 2008.

By the Administrator’s Command,

P. D. Draycott,
Chief Officer,
Sovereign Base Areas.

(SBA/AG/2/CR/263/1)

Notes

- (a) Ordinance 5/98. Section 9 was amended by Ordinance 14/01.
- (b) Ordinance 5/06. Section 13B was inserted by section 4 of Ordinance 13/07.
- (c) PI 35/85.
- (d) The Second Schedule was substituted by PI 132/04.

EXPLANATORY NOTE

(This note is not part of the Order)

Introduction

1. This explanatory note relate to the Fixed Penalty (Amendment of Schedules of Ordinance) Order 2008. They have been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Order. They do not form part of the Order.
2. The notes should be read in conjunction with the Order. They are not, and are not meant to be, a comprehensive description of the Order. So when an article or part of an article does not seem to require any explanation or comment, none is given.

Particular points

3. The Order makes a number of amendments to the First and Second Schedule to the Fixed Penalties Ordinance 1998.
4. The First Schedule lists those offences falling within the jurisdiction of the SBA Police and for which a fixed penalty may be issued.
5. The following offences are added to the First Schedule
 - a. A pedestrian, a cycle, an animal or a motor cycle unable to maintain a speed of more than 65 kilometres per hour on a motorway contrary to section 13B of the Motor Vehicles and Road Traffic (Consolidation) Ordinance 2006 (attracting a fixed penalty of €85); and
 - b. Violating a continuous white line marking (attracting a fixed penalty of (€25).
6. The fixed penalty for displaying an incorrect registration number is increased from €25 to €85.
7. The Second Schedule lists those offences falling within the jurisdiction of the Area Officers and the SBA Police and for which a fixed penalty may be issued. The offence of failing to comply with shop opening times has been repealed.