ANGUILLA

REVISED REGULATIONS OF ANGUILLA

under

VEHICLES AND ROAD TRAFFIC ACT
R.S.A. c. V10

Showing the Law as at 31 December 2022

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

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Revised Regulations of Anguilla: V10-1

VEHICLES AND ROAD TRAFFIC ACT (R.S.A. c. V10)

FIXED PENALTY FORMS AND PROCEDURES REGULATIONS

Note: These Regulations are enabled under section 91 of the Vehicles and Road Traffic Act, R.S.A. c. V10[1].

(Am. in L. R. 15/12/2014)

Definition

1. In these Regulations—

"Act" means the Vehicles and Road Traffic Act;

"notice" means notice in the form described in section 2.

Form of fixed penalty notice

2. A notice under section 94 of the Act[2] offering the opportunity of the discharge of any liability to conviction of an offence to which that section applies by payment of a fixed penalty shall be in the form set out in the Schedule or a form to the like effect.

(Am. in L.R. 15/12/2014)

Copy of notice to be forwarded to Comptroller of Inland Revenue

3. A copy of any notice given or affixed under section 94[3] shall, as soon as practicable, be forwarded to the Comptroller of Inland Revenue by or on behalf of the member of the Police Force giving or affixing the notice.

(Act 6/2010, s. 41 and am. in L.R. 15/12/2014)

Payment of fixed penalty

4. (1) The person paying a fixed penalty shall forward the remittance with Part 2 of the notice or with statements identifying the notice by specifying its serial number.

(2) If, owing to the failure of the person paying a fixed penalty to comply with subsection (1), the person authorised by the Comptroller of Inland Revenue is unable to identify the relevant notice, the person authorised by the Comptroller of Inland Revenue shall, as soon as practicable, return the remittance to that person, together with a written explanation for its return.

(Act 6/2010, s. 41)

Payment to be payment in full

5. When any payment is made in accordance with these Regulations, it shall be of the amount specified in the notice or, where payment is made in respect of more than one notice, the total of the amounts specified in the notices.

[1] This Note has been corrected to reflect the renumbering of the Act by Act 1 of 2012.
[2] This Note has been corrected to reflect the renumbering of the Act by Act 1 of 2012.
[3] This Note has been corrected to reflect the renumbering of the Act by Act 1 of 2012.

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Police officer to notify Comptroller of Inland Revenue of institution of proceedings

6. (1) Where criminal proceedings in respect of the act or omission constituting the offence specified in a notice are taken by a member of the Police Force, notification thereof shall, as soon as practicable, be given by or on behalf of the member of the Police Force to the Comptroller of Inland Revenue.

(Act 6/2010, s. 41)

(2) After receiving the notification, the person authorised by the Comptroller of Inland Revenue shall not accept payment of the fixed penalty to which the notice relates.

(Act 6/2010, s. 41)

Authorised person to notify payment of fixed penalty

7. Subject to these Regulations, the person authorised by the Comptroller of Inland Revenue shall, as soon as practicable after payment of a fixed penalty has been made to him—

(a) send to the payer a receipt for the payment; and

(b) notify the member of the Police Force who gave or affixed the notice that such payment has been made.

(Act 6/2010, s. 41)

Citation

8. These Regulations may be cited as the Fixed Penalty Forms and Procedures Regulations, Revised Regulations of Anguilla, V10-1.

———————

SCHEDULE

(Section 2)

Serial No. (of Notice) ……..

* Note: It is an offence for anyone, other than the person liable for the under-mentioned offence or the driver of the person in charge of the vehicle or any person authorised by any such person, to remove or interfere with this notice.

* delete if notice not affixed to a vehicle.

VEHICLES AND ROAD TRAFFIC ACT

(Section 81)

NOTICE OF OPPORTUNITY TO PAY FIXED PENALTY

Name *(in block capitals)* ……..

Address *(in block capitals)* …….……

PART 1

Motor Vehicle, index No. ……..……. was seen in *(insert name of road)* ……..

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(From …… to ……) (at……..……..)
on the ……..... day of …….. , ……... in circumstances giving me reasonable cause to believe that the offence described below was being or had been committed.
(here insert statement of the offence alleged)—

Signature..……
Number ……

If before the end of …….. days from the above date, the sum of EC$ ……. (being the fixed penalty for the offence) is paid to the Inland Revenue Department *(insert address of Inland Revenue Department)*……..……., Police will not take proceedings for the offence, and any liability for conviction of the offence will be discharged. Cash should be sent only by registered post; cheques, postal orders or money orders should be made payable to the Government of Anguilla.

A receipt for the payment will be given. Payment must be of the exact amount shown on the notice or the exact total of the various amounts, if payment is made in respect of more than one notice. Payment must be made to the Inland Revenue Department.

The persons paying the fixed penalty must forward with the remittance Part 2 of this notice or identify this notice by quoting its serial number. If the fixed penalty is not paid, the offender is liable to prosecution.

PART 2

Serial No. (of Notice) ……..

To the Comptroller of Inland Revenue—

I enclose the sum of EC$…….. as payment of the fixed penalty for the offence mentioned in Part 1 of this notice.

(Act 6/2010, s. 41)

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