

Form 3
STATUTORY DECLARATION

IN THE MATTER OF AN APPEAL UNDER ARTICLE 16(1) OF THE TRAFFIC MANAGEMENT (NI)
ORDER 2005

Penalty notice number

Vehicle registration number:

Between

Name and address.

of

And the Penalty Processing Department.

I

name

do solemnly and sincerely declare that,

I did not receive a notice under Articles 6 or 7 of the Traffic Management (Northern Ireland) Order 2005 i.e. a Notice to Owner.

I made representations under Article 9 of the Traffic Management (Northern Ireland) Order 2005 but did not receive a notice of rejection.

I appealed to an adjudicator under Article 13 of the Traffic Management (Northern Ireland) Order 2005 but did not receive a notice of his decision under that Article.

(Please tick **only one** of the above reasons)

I make this declaration by virtue of Article 16(1) of The Traffic Management (NI) Order 2005.

Declarant (You) : _____

Declared before me this day of 20 in the

County Court Division of

Justice of the Peace
Lay Magistrate
Commissioner of Oaths

IMPORTANT

If you lodge your Statutory Declaration later than the time limit of 21 days from the date of the Notice of Enforcement of Charge Certificate, you should also include with it a statement of the reasons on which you rely to justify the delay.

If you knowingly or wilfully make a statement which is false in a material particular you will have committed an offence and be liable on conviction on indictment to a term of imprisonment, or a fine, or both under Article 10 of the Perjury (Northern Ireland) Order 1979.

What is a Statutory Declaration?

A Statutory Declaration is a sworn statement stating that you,

1. Never received your “Notice to Owner” from the Penalty Processing Department;
2. Never received your Notice of Rejection” from the Penalty Processing Department, or
3. Never received your Notice of Decision from the NI Traffic Penalty Tribunal (NITPT).

You should complete the Statutory Declaration form choosing one of the three options on the form and have it sworn in front of a Solicitor, a Commissioner of Oaths, a Justice of The Peace (JP), Notary Public, or a Resident Magistrate/Lay Magistrate. Due to jurisdictional boundaries, if you are resident in the Republic of Ireland (ROI), the Penalty Processing Department has agreed to accept a signature from an ROI solicitor as long as the solicitor’s office stamp is placed on the form. You should then send the Statutory Declaration to NITPT within 21 days of the date of the Enforcement of Charge Certificate.

IMPORTANT INFORMATION

Please note that a Statutory Declaration can only be considered by an Adjudicator if it falls under one of the three grounds stated above. **The Statutory Declaration process cannot be used to appeal against the issuing of the original Penalty Charge Notice.** If you wish to challenge the Penalty Charge Notice you should contact The Penalty Processing Department directly.

What is The Northern Ireland Traffic Penalty Tribunal (NITPT)?

NITPT is an independent tribunal established to consider appeals and Statutory Declarations from motorists and vehicle owners whose vehicles have been issued with Penalty Charge Notices. All Statutory Declarations are considered by an Adjudicator who is a qualified barrister/solicitor with at least 5 years’ legal experience.

What Happens to my Statutory Declaration?

Your Statutory Declaration and any other representations you wish to make are copied to Penalty Processing Department. The Penalty Processing Department will then consider whether it wishes to contest the Statutory Declaration and will inform the Tribunal. If it does not wish to contest, The Penalty Processing Department will be directed to re-issue the relevant Notice. If Penalty Processing Department wishes to contest, the papers will be placed before the adjudicator. You will be notified of the Adjudicator’s decision by post. All Statutory Declaration cases are dealt with without the requirement for the parties to attend.

What if I Want to Lodge my Statutory Declaration Outside the 21 Days?

You should complete your Statutory Declaration and send it to NITPT but also include an additional note of explanation as to why you have applied outside the time period. The Adjudicator can then consider your application to extend the time limit. If your application is successful the Adjudicator will then go on to consider the Declaration on a later date.

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