



STATUTORY INSTRUMENTS.

**S.I. No. 433 of 2010**

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ROAD TRAFFIC ACT 1994 (SECTION 17) (PRESCRIBED FORM AND  
MANNER OF STATEMENTS) REGULATIONS 2010

**(Prn. A10/1320)**

## ROAD TRAFFIC ACT 1994 (SECTION 17) (PRESCRIBED FORM AND MANNER OF STATEMENTS) REGULATIONS 2010

I, NOEL DEMPSEY, Minister for Transport, in exercise of the powers conferred on me by section 17 of the Road Traffic Act 1994 (No. 7 of 1994) and the National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 298 of 2002) (as adapted by the Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 305 of 2002)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic Act 1994 (Section 17) (Prescribed Form and Manner of Statements) Regulations 2010.

(2) These Regulations come into operation on 11 October 2010.

2. In these Regulations “Act of 1994” means Road Traffic Act 1994 (No. 7 of 1994).

3. The form set out in Schedule 1 is prescribed as the form to be automatically produced for the purposes of section 17(2) of the Act of 1994 by an apparatus referred to in section 13(1) of the Act of 1994.

4. For the purposes of completing the form referred to in Regulation 3 in the prescribed manner the member of the Garda Síochána supplying the statements referred to in section 17(2) of the Act of 1994 shall—

(a) before a person provides a specimen of his or her breath in accordance with section 13(1)(a) (inserted by the Road Traffic and Transport Act 2006 (No. 28 of 2006)) of the Act of 1994, input into the apparatus referred to in section 13(1) of the Act of 1994 the following information—

(i) the name and address of the person providing the specimens,

(ii) the provision it is alleged the person has contravened, namely, section 49(4) or 50(4) (inserted by sections 10 and 11, respectively, of the Act of 1994) of the Road Traffic Act 1961, and

(iii) his or her name and number,

and

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 14th September, 2010.*

(b) following the automatic production of the statements referred to in section 17(2) of the Act of 1994, sign the statements.

5. The Road Traffic Act 1994 (Section 17) Regulations 1999 (S.I. No. 326 of 1999) are revoked.

**SCHEDULE**

ROAD TRAFFIC ACT, 1994, SECTION 17 — STATEMENT

APPARATUS:  
SERIAL NUMBER:  
GARDA SÍOCHÁNA STATION:  
TEST NUMBER:  
DATE OF START OF TEST:

PERSON WHO PROVIDED SPECIMENS

NAME:  
ADDRESS:

ANALYSIS

<u>TEST</u>	<u>µg/100ml</u>	<u>TIME</u>
BLANK		
SIMULATOR CHECK 1		
BLANK		
BREATH SPECIMEN 1		
BLANK		
BREATH SPECIMEN 2		
BLANK		
SIMULATOR CHECK 2		

The specimen to be taken into account for the purposes of section        of the Road Traffic Act, 1961 is specimen        above. The concentration of alcohol in the breath for the purposes of that section is        microgrammes of alcohol per 100 millilitres of breath.

Member Of An Garda Síochána

NAME:  
NUMBER:  
SIGNATURE.....

I, the undersigned, hereby acknowledge the receipt of this statement.

.....  
Signature of person who provided specimens of breath.

**AN SCEIDEAL**

AN TACHT UM THRÁCHT AR BHÓITHRE, 1994, ALT 17 — RÁITEAS

Gaireas:

Sraith-uimhir:

An Stáisiún Garda Síochána:

Uimhir Tástála:

An Dáta ar Thosaigh an Tástáil:

An Duine a Sholáthair na hEiseamail

Ainm:

Seoladh:

AnailísTástáilµg/100mlAM

Bán

Seiceáil Insamhlóra 1

Bán

Eiseamal Anála 1

Bán

Eiseamal Anála 2

Bán

Seiceáil Insamhlóra 2

Is é an t-eiseamal atá le cur san áireamh chun críocha alt den Acht um Thrácht ar Bhóithre, 1961 ná eiseamal tuas. Is é an tiúchan alcóil san anáil chun críocha an ailt sin ná micream gram alcóil an 100 millilítear anála.

Comhalta den Gharda Síochána

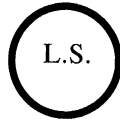
Ainm:

Uimhir:

Síniú.....

Admhaímse, a bhfuil mo shíniú thíos, leis seo go bhfuair mé an ráiteas seo.

.....  
Síniú an duine a sholáthair na heiseamail anála



GIVEN under my Official Seal,  
31 August 2010.

NOEL DEMPSEY,  
Minister for Transport.

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations prescribe the form and manner of the statements, both in Irish and English, to be produced by an apparatus for determining the concentration of alcohol in the breath pursuant to section 17(2) of the Road Traffic Act, 1994 and prescribe the manner in which the statements are to be duly completed by a member of the Garda Síochana.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
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