



STATUTORY INSTRUMENTS

**S.I. No. 363 of 2008**



CRIMINAL JUSTICE (PUBLIC ORDER) ACT 1994  
(SECTIONS 23A AND 23B) REGULATIONS 2008

**(Prn. A8/1418)**

S.I. No. 363 of 2008

CRIMINAL JUSTICE (PUBLIC ORDER) ACT 1994  
(SECTIONS 23A AND 23B) REGULATIONS 2008

I, DERMOT AHERN, Minister for Justice, Equality and Law Reform, in exercise of the powers conferred on me by section 23A(9) (inserted by section 184 of the Criminal Justice Act 2006 (No. 26 of 2006)) of the Criminal Justice (Public Order) Act 1994 (No. 2 of 1994), hereby make the following regulations:

1. (1) These Regulations may be cited as the Criminal Justice (Public Order) Act 1994 (Sections 23A and 23B) Regulations 2008.

(2) In these Regulations—

“Act of 1994” means the Criminal Justice (Public Order) Act 1994 (No. 2 of 1994);

“Act of 2008” means the Intoxicating Liquor Act 2008 (No. 17 of 2008).

2. The amount of—

(1) €140 is prescribed for the purposes of section 23A (as amended by section 20 of the Act of 2008) of the Act of 1994, and

(2) €100 is prescribed for the purposes of section 23B (as amended by section 21 of the Act of 2008) of the Act of 1994.

3. The form of notice set out in the Schedule is prescribed for the purposes of—

(1) Section 23A (as amended by section 20 of the Act of 2008) of the Act of 1994, and

(2) Section 23B (as amended by section 21 of the Act of 2008) of the Act of 1994.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 12th September, 2008.*

SCHEDULE

Regulation 3.

Criminal Justice (Public Order) Act 1994

Sections 23A and 23B

Fixed Charge Notice

Date .....(*insert date*)

(*insert name*) .....

(*insert address*) .....

.....

It is alleged that you have committed an offence (*specify offence*) on (*insert date*) at (*insert time*) at (*insert location*).

1. In respect of the offence alleged in this notice—

(a) you may, during the period of 28 days, beginning on the date of this notice, pay a fixed charge of € (*insert amount*), or

(b) if you do not pay that fixed charge during that period, you may, beginning on the expiration of that period, during the further period of 28 days, pay a fixed charge of € (*insert amount*).

2. A payment of a fixed charge under this notice must be accompanied by all of this notice, if payment is made in person or by post, or by quoting the reference number mentioned on it, if payment is allowed otherwise below, and in the manner stated below.

3. You will not be prosecuted—

(a) during the period of 56 days from the date of this notice, or

(b) at all, if the correct payment, in accordance with this notice, during that period, is made in respect of the offence specified in this notice.

**Manner of Payment**

(*insert manner of payment and where payment is to be made*)



GIVEN under my Official Seal,  
10 September 2008

DERMOT AHERN  
Minister for Justice, Equality and Law Reform.

EXPLANATORY NOTE

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

Sections 23A and 23B of the Criminal Justice (Public Order) Act 1994 provide for the issue of fixed charge notices in respect of offences committed under section 5 (disorderly conduct in a public place) and section 4 (intoxication in a public place) of the Act.

This instrument sets the levels of the fixed charges, €140 and €100 respectively, and the format of the fixed charge notice.

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,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834/37 nó 1890 213434; Fax: 01 - 6476843 nó 094 - 9378964)  
nó trí aon díoltóir leabhar.

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