



STATUTORY INSTRUMENTS.

S.I. No. 541 of 2011

ROAD TRAFFIC ACT 2010 (SECTION 13) (PRESCRIBED FORM AND
MANNER OF STATEMENTS) REGULATIONS 2011

(Prn. A11/1940)

ROAD TRAFFIC ACT 2010 (SECTION 13) (PRESCRIBED FORM AND MANNER OF STATEMENTS) REGULATIONS 2011

I, LEO VARADKAR, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 5 of the Road Traffic Act 1961 (No. 24 of 1961) and section 13 of the Road Traffic Act 2010 (No. 25 of 2010) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic Act 2010 (Section 13) (Prescribed Form and Manner of Statements) Regulations 2011.

(2) These Regulations come into operation on 28th October, 2011.

2. In these Regulations “Act of 2010” means Road Traffic Act 2010 (No. 25 of 2010).

3. The form set out in the Schedule is prescribed as the form of the statements to be automatically produced for the purposes of section 13(2) of the Act of 2010 by an apparatus referred to in section 12(1)(a) of that Act.

4. For the purposes of completing the statements referred to in section 13(2) of the Act of 2010 in the prescribed manner the member of the Garda Síochána supplying the statements shall—

(a) before the person provides a specimen of his or her breath in accordance with section 12(1)(a) of the Act of 2010, input into the apparatus referred to in that section—

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

(ii) the provision that it is alleged the person has contravened, namely, section 4(4) or 5(4) of the Act of 2010, and

(iii) his or her name and number,

and

(b) following the automatic production of the statements referred to in section 13(2) of the Act of 2010, sign the statements.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 1st November, 2011.

SCHEDULE

Road Traffic Act, 2010, section 13 — statement

Apparatus:

Serial Number:

Garda Síochána Station:

Test Number:

Date of start of test:

Person who provided specimens

Name:

Address:

Date of Birth:

Gender:

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, 2010 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.

4 [541]

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, 2010, Alt 13 — ráiteas

Gaireas:

Sraith-Uimhir:

An Stáisiún Garda Síochána:

Uimhir Tástála:

An Dáta ar Thosaigh an Tástáil:

An Duine a Sholáthair na hEiseamail

Ainm:

Seoladh:

Dáta Breithe:

Inscne an Duine:

Anailís

Tástáil

µg/100ml

Am

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, 2010 ná eiseamal ____thuas. Is é an tiúchan alcóil san anáil chun críocha an ailt sin ná ____microgram alcóil an 100 millilítear anála.

Comhalta den Gharda Síochána

Ainm:

Uimhir:

Síniú

Admháimse, 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,
27 October 2011.

LEO VARADKAR,
Minister for Transport, Tourism and Sport.

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 13(2) of the Road Traffic Act, 2010 and prescribe the manner in which the statements are to be duly completed by a member of the Garda Síochána.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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