

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: Road Safety Act 2006, SCHEDULE 3 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

Section 10

ENDORSEMENT: ALL DRIVERS

Public Passenger Vehicles Act 1981 (c. 14)

- 1 (1) Section 24 of the Public Passenger Vehicles Act 1981 (regulation of conduct of drivers, inspectors and conductors) (as amended by Schedule 2) is amended as follows.
 - (2) In subsection (2), for the words from “cause particulars” to the end substitute “ send notice of the particulars of the conviction to the Secretary of State requiring the Secretary of State to endorse them on the person's driving record (within the meaning of section 97A of the Road Traffic Offenders Act 1988) ”.
 - (3) Omit subsection (3).

Commencement Information

11 Sch. 3 para. 1 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

Road Traffic Act 1988 (c. 52)

- 2 The Road Traffic Act 1988 is amended as follows.

Commencement Information

12 Sch. 3 para. 2 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 3 In section 88(6) (requirement for driving licence: exceptions), omit “, counterparts of licences”.

Commencement Information

13 Sch. 3 para. 3 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 4 In section 92(7ZB)(a) and (7C) (requirements as to physical fitness of drivers), omit “and its counterpart”.

Commencement Information

14 Sch. 3 para. 4 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 5 (1) Section 93 (revocation of licence because of disability or prospective disability) is amended as follows.

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(2) In subsections (2)(b) and (3), omit “and its counterpart”.

^{F1}(3)

^{F1}(4)

Textual Amendments

F1 Sch. 3 para. 5(3)(4) omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), Sch. 10 para. 34(a); S.I. 2022/1187, reg. 4(a) (with Pt. 3)

Commencement Information

I5 Sch. 3 para. 5 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

6 (1) Section 97 (grant of licences) is amended as follows.

(2) In subsection (1)(c)—

- (a) in sub-paragraph (i), omit “and its counterpart”,
- (b) in sub-paragraph (ia), omit the words from “together” to the end, and
- (c) in sub-paragraph (ii), omit “and its counterpart (if any) issued to him”.

(3) In subsection (1AA), omit—

- (a) “together with the counterparts mentioned in that sub-paragraph”, and
- (b) “and its Northern Ireland counterpart”.

Commencement Information

I6 Sch. 3 para. 6(1)(2)(a)(2)(c) in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

7 In section 98(1)(c) (form of licence), omit “or its counterpart”.

Commencement Information

I7 Sch. 3 para. 7 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

PROSPECTIVE

8 (1) Section 98A (compulsory surrender of old-form licences) (inserted by section 29) is amended as follows.

(2) In subsection (1), omit “and their counterparts”.

(3) In subsection (3), omit “(and their counterparts)”.

(4) In subsection (4), omit “(with its counterpart)”.

(5) In subsection (7), omit “and its counterpart”.

9 (1) Section 99 (duration of licences) is amended as follows.

(2) In subsection (2A), omit “and its counterpart”.

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- (3) In subsection (3)—
- (a) omit paragraph (aa),
 - (b) in paragraph (b), omit “or in its counterpart”, and
 - (c) omit “and its counterpart”.

[^{F2}(3A) In subsection (3ZA), omit “and its counterpart”.]

- (4) In subsection (4), omit “and its counterpart”.

^{F3}(5)

- (6) In subsection (7), omit “and its counterpart”.

[^{F4}(6A) In subsection (7ZZA)—

- (a) omit “and its counterpart” in both places, and
- (b) omit “and counterpart” [^{F5} in both places].]

- (7) In subsection (7ZA) (inserted by section 30), omit “and its counterpart”.

Textual Amendments

- F2** Sch. 3 para. 9(3A) inserted (14.7.2014) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 9 para. 64(a)**; S.I. 2014/1820, art. 2(g)
- F3** Sch. 3 para. 9(5) omitted (30.11.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), **Sch. 10 para. 34(b)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)
- F4** Sch. 3 para. 9(6A) inserted (E.W.S.) (20.4.2012) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2012 \(S.I. 2012/977\)](#), reg. 1(2), **Sch. 2 para. 3(2)**
- F5** Words in Sch. 3 para. 9(6A)(b) inserted (14.7.2014) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 9 para. 64(b)**; S.I. 2014/1820, art. 2(g)

Commencement Information

- I8** Sch. 3 para. 9 in force at 8.6.2015 by [S.I. 2015/560](#), art. 3(a) (with arts. 4-9)

PROSPECTIVE

10 In section 99A (authorisation to drive in Great Britain), omit subsections (5) and (6).

11 (1) Section 99B (information about resident Community licence holders) is amended as follows.

(2) Omit subsection (3).

(3) In subsection (4), for “subsections (1) and (3)” substitute “subsection (1)”.

(4) In subsection (5), for “a Community licence delivered to him (whether or not in pursuance of this section) in such manner as he may determine” substitute “the driving record of a person who delivers to him a Community licence (whether or not in pursuance of this section)”.

(5) Omit subsection (6).

(6) For subsection (7) substitute—

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“(7) Where the name of a Community licence holder as specified in his Community licence ceases to be correct, he must deliver his Community licence immediately to the Secretary of State and provide him with particulars of the alterations falling to be made in the name on it.”

(7) Omit subsection (8).

(8) In subsection (9), after “endorse the Community licence” insert “ and that person's driving record ”.

(9) In subsection (11)(b), omit “(6) or”.

(10) Omit subsection (12).

Commencement Information

I9 Sch. 3 para. 11 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

12 (1) Section 99C (revocation of authorisation conferred by Community licence because of disability or prospective disability) is amended as follows.

(2) In subsections (1) to (4), omit “and its counterpart (if any)” in each place.

(3) Omit subsection (5).

Commencement Information

I10 Sch. 3 para. 12 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

13 (1) Section 105 (regulations) is amended as follows.

(2) In subsection (2)—

(a) in paragraph (a), for “Community licences and counterparts of such licences” substitute “ and Community licences ”,

^{F6F6}(b)

(c) in paragraph (e), omit “and counterparts of licences” and “or counterparts of licences”, and

(d) omit paragraph (ea).

(3) In subsection (5), for “and 91ZA to 91B” substitute “ , 91ZA and 91A ”.

Textual Amendments

F6 Sch. 3 para. 13(2)(b) repealed (12.1.2009) by Policing and Crime Act 2009 (c. 26), s. 116(6)(b), Sch. 8 Pt. 13

Commencement Information

I11 Sch. 3 para. 13 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

14 In section 108 (interpretation), omit the definition of “counterpart”.

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Commencement Information

I12 Sch. 3 para. 14 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 15 In section 109 (provisions as to Northern Ireland drivers' licences), for subsection (2) substitute—

“(2) For the purposes of this Act, any driver holding a Northern Ireland licence shall be under the same obligation to produce such a licence as if it had been a licence granted under this Part of this Act, and the provisions of this Act as to the production of licences granted under this Part of this Act shall apply accordingly.”

Commencement Information

I13 Sch. 3 para. 15 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 16 (1) Section 109A (counterparts issued to Northern Ireland licence holders) is amended as follows.

- (2) For subsections (1) and (2) substitute—

“(1) The Secretary of State may endorse the driving record of a Northern Ireland licence holder who delivers to him a Northern Ireland licence together with the information specified in, or required under, subsection (3) below with any part of that information.”

- (3) For subsections (4) and (5) substitute—

“(4) Where the name of a Northern Ireland licence holder as specified in his Northern Ireland licence ceases to be correct, he may deliver his Northern Ireland licence immediately to the Secretary of State and provide him with particulars of the alterations falling to be made in the name on it.

(5) On the delivery of a Northern Ireland licence by any person in pursuance of subsection (4) above, the Secretary of State may endorse the Northern Ireland licence and that person's driving record with the correct name and must return the Northern Ireland licence to that person.”

- (4) In the heading, for “**Counterparts issued to**” substitute “Information about”.

Commencement Information

I14 Sch. 3 para. 16 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 17 (1) Section 109B (revocation of authorisation conferred by Northern Ireland licence because of disability or prospective disability) is amended as follows.

- (2) In subsection (1), omit the words from “together” to the end.

- (3) In subsection (2)—

- (a) in paragraph (a), omit “together with the relevant counterparts”, and
(b) in paragraph (b), omit “and those counterparts”.

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(4) In subsection (4), omit “and the relevant counterparts”.

(5) Omit subsection (5).

Commencement Information

I15 Sch. 3 para. 17 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

18 In section 115A(1) (community licence holders: cessation of authorisation), omit “and its counterpart (if any)”.

Commencement Information

I16 Sch. 3 para. 18 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

19 In section 117A (community licences: disqualification, etc.), omit “and its counterpart (if any)” in both places.

Commencement Information

I17 Sch. 3 para. 19 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

20 (1) Section 118 (revoked or suspended licences: surrender, return and endorsement) is amended as follows.

(2) In subsection (1), omit “and its counterpart”.

(3) For subsection (2) substitute—

“(2) Where, in pursuance of section 115 of this Act, the Secretary of State suspends a licence, he must (unless the holder of the licence has already delivered his licence to a traffic commissioner on a reference under section 116 of this Act) serve notice on the holder of the licence requiring him to deliver the licence forthwith to the Secretary of State at the address specified in the notice, and it shall be the duty of the holder of the licence to comply with the requirement.

(2A) On the delivery of the licence or, where the licence has already been delivered to a traffic commissioner, on suspending the licence, the Secretary of State must endorse the particulars of the suspension on the licence holder's driving record.

(2B) The Secretary of State or, as the case may be, the traffic commissioner, must then return the licence to the holder.”

(4) In subsection (4), omit “and its counterpart”.

(5) Omit subsection (5).

Commencement Information

I18 Sch. 3 para. 20 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

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21 In section 121 (interpretation), omit the definition of “counterpart”.

Commencement Information

I19 Sch. 3 para. 21 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

22 In section 122(3) (provisions as to Northern Ireland licences)—

(a) for “and its counterpart are” substitute “ is ”, and

(b) for “them” substitute “ it ”.

Commencement Information

I20 Sch. 3 para. 22 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

23 In section 125A(8) (registration of disabled persons), in paragraph (c) of the definition of “disabled person's limited driving licence”, omit “and a counterpart of that licence”.

Commencement Information

I21 Sch. 3 para. 23 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

PROSPECTIVE

24 In section 141A(5) (interpretation of Part 5) (as substituted by Schedule 6), omit “and “counterpart”, in relation to a Community licence”.

PROSPECTIVE

25 In section 142 (index to Part 5) (as substituted by Schedule 6), omit “and counterpart”.

26 (1) Section 164 (power of constables to require production of driving licence and in certain cases statement of date of birth) is amended as follows.

(2) Omit “and its counterpart” in each place.

(3) In subsection (1), for “they were” substitute “ it was ”.

(4) In subsection (3)—

(a) for “their” substitute “ its ”, and

(b) for “them”, in both places, substitute “ it ”.

(5) In subsection (5)—

(a) for “them”, in each place, substitute “ it ”, and

(b) for “their” substitute “ its ”.

^{F7}(6)

(7) In subsection (8)—

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- (a) for “them”, in each place, substitute “ it ”, and
- (b) for “their” substitute “ its ”.

(8) In subsection (11), omit the reference to “counterpart”.

Textual Amendments

F7 Sch. 3 para. 26(6) omitted (30.11.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022](#) (c. 32), s. 208(1), [Sch. 10 para. 34\(c\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)

Commencement Information

I22 Sch. 3 para. 26 in force at 8.6.2015 by S.I. 2015/560, [art. 3\(a\)](#) (with arts. 4-9)

- 27 In section 167(a) (power of arrest in Scotland for reckless or careless driving or cycling), for the words from “and the counterpart” to the end substitute “ or, as the case may be, his Northern Ireland licence or Community licence within the meaning of that Part. ”

Commencement Information

I23 Sch. 3 para. 27 in force at 8.6.2015 by S.I. 2015/560, [art. 3\(a\)](#) (with arts. 4-9)

- 28 (1) Section 173 (forgery of documents etc.) is amended as follows.
- (2) In subsection (2)—
 - (a) in paragraph (a), omit the words from “or” to the end, and
 - (b) omit paragraph (aa).
 - (3) In subsection (4), omit “ “counterpart” ”.

Commencement Information

I24 Sch. 3 para. 28(1)(2) in force at 8.6.2015 by S.I. 2015/560, [art. 3\(a\)](#) (with arts. 4-9)

- 29 In section 176 (power to seize articles), omit subsections (1A), (3A) and (8).

Commencement Information

I25 Sch. 3 para. 29 in force at 8.6.2015 by S.I. 2015/560, [art. 3\(a\)](#) (with arts. 4-9)

Road Traffic Offenders Act 1988 (c. 53)

- 30 The Road Traffic Offenders Act 1988 (as amended by Schedule 2) is amended as follows.

Commencement Information

I26 Sch. 3 para. 30 in force at 8.6.2015 by S.I. 2015/560, [art. 3\(a\)](#) (with arts. 4-9)

- 31 In section 7(1) (duty of accused to provide licence), omit the words from “and the foregoing” to the end.

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Commencement Information

I27 Sch. 3 para. 31 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 32 (1) Section 26 (interim disqualification) is amended as follows.
- (2) In subsection (7)—
- (a) in paragraph (a), omit “and its counterpart”, and
 - (b) in paragraph (b), omit “and counterpart” and for “them” substitute “ it ”.
- ^{F8}(3)
- ^{F8}(4)
- (5) Omit subsection (14).

Textual Amendments

F8 Sch. 3 para. 32(3)(4) omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), Sch. 10 para. 34(d); S.I. 2022/1187, reg. 4(a) (with Pt. 3)

Commencement Information

I28 Sch. 3 para. 32 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 33 (1) Section 27 (production of licence) is amended as follows.
- (2) Omit “and its counterpart” in each place.
- (3) In subsection (1), for “them” substitute “ it ”.
- (4) In subsection (3)(b), for “are produced” substitute “ is produced ”.
- ^{F9}(5)

Textual Amendments

F9 Sch. 3 para. 33(5) omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), Sch. 10 para. 34(e); S.I. 2022/1187, reg. 4(a) (with Pt. 3)

Commencement Information

I29 Sch. 3 para. 33 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 34 In section 28(3) (penalty points to be attributed to an offence), for “57(5), 57A(6), 77(5)” substitute “ 57A(6) ”.

Commencement Information

I30 Sch. 3 para. 34 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 35 (1) Section 29 (penalty points to be taken into account on conviction) is amended as follows.
- (2) In subsection (1)(b), omit “the counterpart of any licence held by him or on”.

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(3) Omit subsection (3).

Commencement Information

I31 Sch. 3 para. 35 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

36 (1) Section 30 (modification of sections 28 and 29 in case where fixed penalty also in question) is amended as follows.

(2) In subsection (1)(b)—

- (a) omit “the counterpart of his licence or”, and
- (b) for “57, 57A, 77” substitute “ 57A ”.

(3) In subsection (2)(b)—

- (a) omit “on the counterpart of his licence or”, and
- (b) for “57, 57A, 77” substitute “ 57A ”.

Commencement Information

I32 Sch. 3 para. 36 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

37 In section 31(1) (court may take particulars endorsed into consideration), omit “the counterpart of his licence or on”.

Commencement Information

I33 Sch. 3 para. 37 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

38 Omit section 32 (in Scotland court may take extract from licensing records into account).

Commencement Information

I34 Sch. 3 para. 38 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

39 In section 36 (disqualification until test passed), omit subsection (10).

Commencement Information

I35 Sch. 3 para. 39 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

40 (1) Section 42 (removal of disqualification) is amended as follows.

(2) In subsection (5), for paragraph (a) substitute—

“(a) must send notice of the order to the Secretary of State.”.

(3) Omit subsection (5A).

(4) In subsection (5AA), for “(5)(a)(ii)” substitute “ (5)(a) ”.

(5) In subsection (5B), for “(5)(a)(ii) or (5A)” substitute “ (5)(a) ”.

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Commencement Information

I36 Sch. 3 para. 40 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

41 Omit section 45 (effect of endorsement of counterparts).

Commencement Information

I37 Sch. 3 para. 41 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

42 In section 45A (effect of endorsement of driving records), for subsections (3) to (5) substitute—

“(3) An endorsement ordered on a person's conviction of an offence remains effective (subject to subsections (4) and (5) below)—

- (a) if an order is made for the disqualification of the offender, until four years have elapsed since the conviction, and
- (b) if no such order is made, until either—
 - (i) four years have elapsed since the commission of the offence, or
 - (ii) an order is made for the disqualification of the offender under section 35 of this Act.

(4) Where the offence was one under section 1 or 2 of the Road Traffic Act 1988 (causing death by dangerous driving and dangerous driving), the endorsement remains in any case effective until four years have elapsed since the conviction.

(5) Where the offence was one—

- (a) under section 3A, 4(1) or 5(1)(a) of that Act (driving offences connected with drink or drugs),
- (b) under section 7(6) of that Act (failing to provide specimen) involving obligatory disqualification, or
- (c) under section 7A(6) of that Act (failing to allow a specimen to be subjected to laboratory test),

the endorsement remains effective until eleven years have elapsed since the conviction.”

Commencement Information

I38 Sch. 3 para. 42 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

43 In section 46(2)(b) (combination of disqualification and endorsement with probation orders and orders for discharge), omit “the counterpart of any licence held by him or on”.

Commencement Information

I39 Sch. 3 para. 43 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

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44 (1) Section 47 (supplementary provisions as to disqualifications and endorsements) is amended as follows.

(2) For subsection (2) substitute—

“(2) Where a court orders the endorsement of a person's driving record it may, and where a court orders a person to be disqualified for a period of 56 days or more it must, send any licence of the person that is produced to the court, to the Secretary of State.”

^{F10}(3)

(4) In subsection (3), omit “a licence or”.

(5) In subsection (3A), omit “in relation to a person who is not the holder of a licence,”.

(6) In subsection (4), omit “and the counterpart of a licence”.

Textual Amendments

F10 Sch. 3 para. 44(3) omitted (30.11.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022](#) (c. 32), s. 208(1), [Sch. 10 para. 34\(f\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)

Commencement Information

I40 Sch. 3 para. 44 in force at 8.6.2015 by S.I. 2015/560, [art. 3\(a\)](#) (with arts. 4-9)

45 (1) Section 48 (exemption from disqualification and endorsement for certain construction and use offences) is amended as follows.

(2) In subsections (1) and (2), omit “the counterpart of any licence held by him or on”.

(3) Omit subsection (3).

Commencement Information

I41 Sch. 3 para. 45 in force at 8.6.2015 by S.I. 2015/560, [art. 3\(a\)](#) (with arts. 4-9)

^{F11}46

Textual Amendments

F11 Sch. 3 para. 46 omitted (30.11.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022](#) (c. 32), s. 208(1), [Sch. 10 para. 34\(g\)](#); S.I. 2022/1187, reg. 4(a) (with Pt. 3)

47 Omit section 58 (effect of endorsement of counterpart without hearing).

Commencement Information

I42 Sch. 3 para. 47 in force at 8.6.2015 by S.I. 2015/560, [art. 3\(a\)](#) (with arts. 4-9)

48 Omit section 61 (fixed penalty notice mistakenly given to licence holder: exclusion of fixed penalty procedures).

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Commencement Information

I43 Sch. 3 para. 48 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 49 (1) Section 61A (fixed penalty notice mistakenly given to unlicensed person: exclusion of fixed penalty procedures) is amended as follows.
- (2) In subsection (1), omit “but who is not the holder of a licence”.
- ^{F12}(3)
- (4) In the heading, omit “to unlicensed person”.

Textual Amendments

F12 Sch. 3 para. 49(3) omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), Sch. 10 para. 34(h); S.I. 2022/1187, reg. 4(a) (with Pt. 3)

Commencement Information

I44 Sch. 3 para. 49 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 50 (1) Section 72 (notices on-the-spot etc.: when registration and endorsement invalid) is amended as follows.
- (2) Omit subsection (4).
- (3) In subsection (5), omit “57 or”.
- (4) Omit subsection (6).

Commencement Information

I45 Sch. 3 para. 50 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 51 (1) Section 75 (issue of conditional offer) is amended as follows.
- (2) In subsections (5) and (6), for “, 77 and 77A”, substitute “ and 77A ”.
- (3) Omit subsection (8).
- (4) In subsection (8A)—
- (a) omit “who is not the holder of a licence”, and
- (b) in paragraph (a), for the words after “offender” substitute—
- “(i) makes payment of the fixed penalty to the appropriate person, and
- (ii) where he is the holder of a licence and the offence to which the offer relates is an offence involving obligatory endorsement, at the same time delivers his licence to the appropriate person, and”.
- (5) In subsection (11A), for “, 77 and 77A”, substitute “ and 77A ”.
- (6) Omit subsection (12).

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Commencement Information

I46 Sch. 3 para. 51 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 52 (1) Section 76 (effect of offer and payment of penalty) is amended as follows.
- (2) In subsection (3)—
- (a) in paragraph (a), omit “inspecting the licence and its counterpart or (where the alleged offender is not the holder of a licence)” and for “his” substitute “the alleged offender's ”, and
- (b) in paragraph (b), omit “and its counterpart”.
- (3) In subsection (4), for “75(8)(a) or (8A)(a)” substitute “ 75(8A)(a) ”.
- (4) Omit subsection (8).

Commencement Information

I47 Sch. 3 para. 52 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 53 Omit section 77 (endorsement of counterparts where penalty paid).

Commencement Information

I48 Sch. 3 para. 53 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

^{F13}54

Textual Amendments

F13 Sch. 3 para. 54 omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), Sch. 10 para. 34(i); S.I. 2022/1187, reg. 4(a) (with Pt. 3)

- 55 (1) Section 83 (powers of court in cases of deception) is amended as follows.
- (2) Omit subsection (1).
- (3) In subsection (1A), omit “also”.
- (4) In subsection (2), omit—
- (a) “57 or”, and
- (b) “77 or”.

Commencement Information

I49 Sch. 3 para. 55 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 56 In section 84(1)(a) (regulations), for “54(4) or (5C)” substitute “ 54(5) ”.

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Commencement Information

I50 Sch. 3 para. 56 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 57 (1) Section 91ZA (application to Northern Ireland licence holders) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (b), omit “and (9)(b)”,
 - (b) omit paragraphs (d) to (f),
 - (c) omit paragraphs (h) to (j),
 - (d) in paragraph (k), omit “, (3) and (3A)”, and
 - (e) omit paragraph (l).
- (3) Omit subsections (3) to (6).
- (4) In subsection (7)—
- (a) omit “and its counterpart (if any)”, and
 - (b) for “their” substitute “ its ”.
- (5) In subsection (8), omit “and its counterpart”.
- (6) In subsection (9)—
- (a) in paragraph (a), for “subsection (5) above” substitute “ section 44A above of an order for the endorsement of a person's driving record ”, and
 - (b) in paragraph (b)(i), after “licence” insert “ , or a person normally resident in Northern Ireland who does not hold a licence, ”.

Commencement Information

I51 Sch. 3 para. 57 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 58 Omit section 91ZB (effect of endorsement on Northern Ireland licence holders).

Commencement Information

I52 Sch. 3 para. 58 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 59 (1) Section 91A (application to Community licence holders) is amended as follows.
- (2) In subsection (1), for the words from “27” to “48(1) and (2)” substitute “ and 32 ”.
- (3) Omit subsections (2) to (4).
- (4) In subsection (5)—
- (a) omit “and its counterpart (if any)”, and
 - (b) for “their” substitute “ its ”.
- (5) Omit subsection (6).
- (6) For subsection (7) substitute—
- “(7) Where—

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- (a) a notice is sent to the Secretary of State under section 44A above for the endorsement of a person's driving record with any particulars or penalty points, and
- (b) the particulars contained in the notice include—
 - (i) particulars of an offence in respect of which the holder of a Community licence, or a person normally resident in another EEA state who does not hold a licence, is disqualified by an order of a court, and
 - (ii) particulars of the disqualification,

the Secretary of State must send a notice containing the particulars mentioned in paragraph (b)(i) and (ii) to the licensing authority in the EEA state in respect of which the Community licence was issued or, where the person disqualified is not the holder of a licence, the licensing authority in the EEA state where the person is normally resident.

- (7A) Where a Community licence has been sent to the Secretary of State in pursuance of subsection (5) above, he must return the Community licence to the holder—
- (a) on the expiry of the period of disqualification, or
 - (b) if earlier, on being satisfied that the holder has left Great Britain and is not normally resident there.”

(7) Omit subsections (8) to (10).

Commencement Information

I53 Sch. 3 para. 59(1)(3)-(7) in force at 8.6.2015 by [S.I. 2015/560](#), **art. 3(a)** (with [arts. 4-9](#))

60 Omit section 91B (effect of endorsement on Community licence holders).

Commencement Information

I54 Sch. 3 para. 60 in force at 8.6.2015 by [S.I. 2015/560](#), **art. 3(a)** (with [arts. 4-9](#))

- 61 In section 98(1) (interpretation)—
- (a) in the definition of “the provisions connected with the licensing of drivers”, for “91ZA to 91B” substitute “ 91ZA, 91A ”, and
 - (b) in the words following the definition of “the Traffic Acts”, omit “counterpart”.

Commencement Information

I55 Sch. 3 para. 61 in force at 8.6.2015 by [S.I. 2015/560](#), **art. 3(a)** (with [arts. 4-9](#))

- 62 (1) Schedule 1 (offences to which sections 1, 6, 11 and 12(1) apply) is amended as follows.
- (2) In the entries relating to sections 98A(7) and 99(5) of the Road Traffic Act 1988 (c. 52), omit “and counterpart”.
 - (3) In the entry relating to section 164(6) of that Act, omit “and counterpart etc.”.

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Commencement Information

I56 Sch. 3 para. 62 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 63 (1) Part 1 of Schedule 2 (prosecution and punishment of offences: offences under the Traffic Acts) is amended as follows.
- (2) In the entries relating to the following provisions, omit “and counterpart”—
- (a) section 92(7C) of the Road Traffic Act 1988,
 - (b) section 93(3) of that Act,
 - (c) section 98A(7) of that Act,
 - (d) section 99(5) of that Act,
 - (e) section 118 of that Act,
 - (f) section 26 of the Road Traffic Offenders Act 1988 (c. 53), and
 - (g) section 27 of that Act.
- (3) In the entry relating to section 164 of the Road Traffic Act 1988, omit “or counterpart etc.”.
- (4) In the entry relating to section 173 of that Act, omit “counterparts of Community licences,”.

Commencement Information

I57 Sch. 3 para. 63 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

- 64 In Schedule 5 (Scotland: additional offences open to conditional offer), in the entry relating to section 99(5) of the Road Traffic Act 1988, omit—
- (a) “and its counterpart”, and
 - (b) “and counterpart”.

Commencement Information

I58 Sch. 3 para. 64 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

Child Support Act 1991 (c. 48)

- 65 (1) Section 40B of the Child Support Act 1991 (disqualification from driving: further provision) is amended as follows.
- (2) In subsection (4), omit the words from “and” to the end.
- (3) In subsection (9)—
- (a) omit “and its counterpart”, and
 - (b) for “their” substitute “ its ”.

Commencement Information

I59 Sch. 3 para. 65 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

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Road Traffic (New Drivers) Act 1995 (c. 13)

66 The Road Traffic (New Drivers) Act 1995 is amended as follows.

Commencement Information

I60 Sch. 3 para. 66 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

67 (1) Section 2 (surrender of licences) is amended as follows.

^{F14}(2)

(3) In subsection (3)—

^{F15}(a)

^{F15}(b)

(c) in paragraph (f)—

(i) before “endorsed” insert “ to be ”, and

(ii) for “counterpart of the licence” substitute “ person's driving record ”.

^{F16}(4)

Textual Amendments

F14 Sch. 3 para. 67(2) omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 10 para. 34(j)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)

F15 Sch. 3 para. 67(3)(a)(b) omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 10 para. 34(j)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)

F16 Sch. 3 para. 67(4) omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 10 para. 34(j)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)

Commencement Information

I61 Sch. 3 para. 67 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

^{F17}68

Textual Amendments

F17 Sch. 3 para. 68 omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 10 para. 34(k)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)

69 In section 9(5) (interpretation etc.), omit “and its counterpart” in both places.

Commencement Information

I62 Sch. 3 para. 69 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

^{F18}70

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Textual Amendments

F18 Sch. 3 para. 70 omitted (30.11.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), **Sch. 10 para. 34(I)**; S.I. 2022/1187, reg. 4(a) (with Pt. 3)

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

F1971

Textual Amendments

F19 Sch. 3 paras. 71-73 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F1972

Textual Amendments

F19 Sch. 3 paras. 71-73 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F1973

Textual Amendments

F19 Sch. 3 paras. 71-73 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Crime (International Co-operation) Act 2003 (c. 32)

74 The Crime (International Co-operation) Act 2003 is amended as follows.

Commencement Information

I63 Sch. 3 para. 74 in force at 8.6.2015 by S.I. 2015/560, **art. 3(a)** (with arts. 4-9)

- 75**
- (1) Section 63 (production of licence: Great Britain) is amended as follows.
 - (2) Omit “and its counterpart” in each place.
 - (3) In subsections (3)(b) and (4)(b), for “them” substitute “ it ”.
 - (4) In subsection (7), omit the second sentence.

Commencement Information

I64 Sch. 3 para. 75 in force at 8.6.2015 by S.I. 2015/560, **art. 3(a)** (with arts. 4-9)

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PROSPECTIVE

- 76 (1) Section 64 (production of licence: Northern Ireland) is amended as follows.
- (2) Omit “and its counterpart” in each place.
- (3) In subsections (3)(b) and (4)(b), for “them” substitute “ it ”.
- (4) In subsection (7), omit the second sentence.
- 77 (1) Section 68 (endorsement of licence: Great Britain) is amended as follows.
- (2) For subsections (2) to (5) substitute—
- “(2) The Secretary of State must secure that the particulars of the disqualification are endorsed on the person's driving record until the end of the period for which the endorsement remains effective.
- (3) At the end of the period for which the endorsement remains effective the Secretary of State must remove the endorsement from the person's driving record.”
- (3) For subsection (7) substitute—
- “(7) Where the person ceases to be disqualified by virtue of section 57(6), the Secretary of State must endorse the relevant particulars on his driving record.
- In this section and section 69 “driving record” has the meaning given by section 97A of the Road Traffic Offenders Act 1988.”

Commencement Information

I65 Sch. 3 para. 77(1)(2) in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

PROSPECTIVE

- 78 (1) Section 69 (endorsement of licence: Northern Ireland) is amended as follows.
- (2) For subsections (2) to (5) substitute—
- “(2) The Department must secure that the particulars of the disqualification are endorsed on the person's driving record until the end of the period for which the endorsement remains effective.
- (3) At the end of the period for which the endorsement remains effective the Department must secure that the endorsement is removed from the person's driving record.”
- (3) For subsection (7) substitute—
- “(7) Where the person ceases to be disqualified by virtue of section 57(6), the Department must secure that the relevant particulars are endorsed on his driving record.”

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PROSPECTIVE

79 In section 74(1) (interpretation), omit the definition of “counterpart”.

Criminal Justice Act 2003 (c. 44)

80 (1) Section 301 of the Criminal Justice Act 2003 (fine defaulters: driving disqualification) is amended as follows.

(2) In subsection (6)—

- (a) in paragraph (a), omit “together with its counterpart”, and
- (b) in paragraph (b), omit “and its counterpart (if any)”.

(3) In subsection (7), omit the definition of “counterpart”.

Commencement Information

I66 Sch. 3 para. 80 in force at 8.6.2015 by S.I. 2015/560, art. 3(a) (with arts. 4-9)

Status:

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Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. 3 para. 65(3)(b) repealed by [2009 c. 24 Sch. 7 Pt. 4](#)
- Sch. 3 para. 20(3) substituted by [S.I. 2013/1644 Sch. 1](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 6 para. 8A inserted by [2016 c. 16 s. 3\(3\)](#)
- Sch. 6 para. 10A inserted by [2016 c. 16 s. 4\(2\)](#)
- Sch. 6 para. 13(9) inserted by [2016 c. 16 s. 4\(5\)](#)