



# Crime (International Co-operation) Act 2003

## 2003 CHAPTER 32

### PART 3 **U.K.**

#### ROAD TRAFFIC

#### Modifications etc. (not altering text)

- C1** Pt. 3: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 5 Pt. 2** (with art. 9(2))

### CHAPTER 1 **U.K.**

#### [<sup>F1</sup>MUTUAL RECOGNITION OF DRIVING DISQUALIFICATION IN UK AND REPUBLIC OF IRELAND]

#### Textual Amendments

- F1** Pt. 3 Ch. 1 heading substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), ss. **31(2)**, **95(1)** (with Sch. 7 para. 27); S.I. 2017/189, art. 3

#### *Road traffic offences in UK*

### 54 Application of section 55 **U.K.**

(1) Section 55 applies where—

- [<sup>F2</sup>(a) an individual (“the offender”) is convicted of a qualifying UK road traffic offence,

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- (aa) when convicted, the offender—
  - (i) is normally resident in the Republic of Ireland, or
  - (ii) is not normally resident in the Republic of Ireland but holds a Republic of Ireland licence,]
- (b) no appeal is outstanding in relation to the offence, and
- (c) the driving disqualification condition is met in relation to the offence.

[<sup>F3</sup>(1A) A qualifying UK road traffic offence is—

- (a) an offence under the law of England and Wales or Scotland mentioned in Schedule 3;
- (b) an offence under the law of Northern Ireland mentioned in Schedule 3A.]

(2) The driving disqualification condition is met—

- (a) in relation to an offence mentioned in Part 1 of Schedule 3 [<sup>F4</sup>or Part 1 of Schedule 3A], if an order of disqualification is made in respect of the offence,
- (b) in relation to an offence mentioned in Part 2 of [<sup>F5</sup>Schedule 3 or Part 2 of Schedule 3A], if an order of disqualification for a period not less than the minimum period is made in respect of the offence.

[<sup>F6</sup>(3) The minimum period is—

- (a) for an offence mentioned in Part 2 of Schedule 3 in relation to which the Secretary of State has by regulations specified a period of less than six months, that period;
- (b) for an offence mentioned in Part 2 of Schedule 3A in relation to which the Department has by regulations specified a period of less than six months, that period;
- (c) for any other offence, a period of six months.]

[<sup>F7</sup>(3A) When determining whether the period of disqualification in respect of an offence mentioned in Part 2 of Schedule 3 is not less than the minimum period, an extension period imposed under any of the following is to be disregarded—

- (a) section 35A or 35C of the Road Traffic Offenders Act 1988;
- (b) section 248D of the Criminal Procedure (Scotland) Act 1995;
- (c) section 147A of the Powers of Criminal Courts (Sentencing) Act 2000 [<sup>F8</sup>or section 166 of the Sentencing Code].

(3B) When determining whether the period of disqualification in respect of an offence mentioned in Part 2 of Schedule 3A is not less than the minimum period, an extension period imposed under any of the following is to be disregarded—

- (a) Article 8A of the Criminal Justice (Northern Ireland) Order 1980 (S.I. 1980/704 (N.I. 6));
- (b) Article 40A of the Road Traffic Offenders (Northern Ireland) Order 1996 (S.I. 1996/1320 (N.I. 10));
- (c) Article 91A of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)).]

(4) Section 55 does not apply in prescribed circumstances.

(5) For the purposes of this section no appeal is outstanding in relation to an offence if—

- (a) no appeal is brought against an offender's conviction of the offence, or any order made on his conviction, within the time allowed for making such appeals, or

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(b) such an appeal is brought and the proceedings on appeal are finally concluded.

[<sup>F9</sup>(6) The Secretary of State may by regulations amend Schedule 3.

(7) The Department may by regulations amend Schedule 3A.]

#### Textual Amendments

- F2** S. 54(1)(a)(aa) substituted for s. 54(1)(a) (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [ss. 31\(3\)\(a\)](#), [95\(1\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F3** S. 54(1A) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [ss. 31\(3\)\(b\)](#), [95\(1\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F4** Words in s. 54(2)(a) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [s. 95\(1\)](#), [Sch. 7 para. 2\(2\)\(a\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F5** Words in s. 54(2)(b) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [s. 95\(1\)](#), [Sch. 7 para. 2\(2\)\(b\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F6** S. 54(3) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [s. 95\(1\)](#), [Sch. 7 para. 2\(3\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F7** S. 54(3A)(3B) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [s. 95\(1\)](#), [Sch. 7 para. 2\(4\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F8** Words in s. 54(3A)(c) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), [s. 416\(1\)](#), [Sch. 24 para. 202](#) (with [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)
- F9** S. 54(6)(7) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [s. 95\(1\)](#), [Sch. 7 para. 2\(5\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

#### Commencement Information

- I1** S. 54 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(a\)\(3\)](#)

#### 55 [<sup>F10</sup>Duty to give notice to Republic of Ireland of UK driving disqualification] **U.K.**

- (1) Where this section applies, the appropriate Minister must give the central authority of [<sup>F11</sup>the Republic of Ireland] a notice under this section.
- (2) A notice under this section must—
- give the name, address and date of birth of the offender,
  - give particulars of the offence,
  - state that no appeal is outstanding in relation to it,
  - give particulars of the disqualification,
  - state whether or not the offender took part in the proceedings in which the disqualification was imposed,
  - state that the offender has been informed that any decision made for the purposes of [<sup>F12</sup>the specified agreement on driving disqualifications] will have no effect on the disqualification.

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- (3) A notice under this section may contain such other information as the appropriate Minister considers appropriate.
- (4) A notice under this section must be accompanied by the original or a certified copy of the order of disqualification.
- (5) Where the offender did not take part in the proceedings mentioned in subsection (2) (e), a notice under this section must also be accompanied by evidence that the offender was duly notified of those proceedings.
- (6) Where the offender is the holder of a Community licence, a notice under this section must also be accompanied by the licence unless it has been returned to the driver—
  - (a) under [F13section 91A(7A)(b)] of the Road Traffic Offenders Act 1988 (c. 53), or
  - (b) under Article 92A(7)(b)(ii) of the Road Traffic Offenders (Northern Ireland) Order 1996 (S.I. 1996/ 1320 (N.I.10)).
- (7) Where the period of disqualification is reduced by virtue of section 34A of that Act or Article 36 of that Order, the appropriate Minister must give the central authority particulars of the reduction.
- (8) Where the disqualification is removed by an order under section 42 of that Act or Article 47 of that Order, the appropriate Minister must give the central authority particulars of the removal.
- (9) The appropriate Minister must provide—
  - (a) the central authority, or
  - (b) the competent authority of [F14the Republic of Ireland],
 with any further information which it requires for the purposes of [F15the specified agreement on driving disqualifications].

#### Textual Amendments

- F10** S. 55 heading substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 3\(2\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F11** Words in s. 55(1) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 3\(3\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F12** Words in s. 55(2)(f) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 3\(4\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F13** Words in s. 55(6)(a) substituted (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\), art. 1\(1\), Sch. 2 para. 6\(a\)](#)
- F14** Words in s. 55(9)(b) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 3\(5\)\(a\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F15** Words in s. 55(9) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 3\(5\)\(b\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3

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**Commencement Information**

**I2** S. 55 in force at 28.1.2010 for specified purposes by S.I. 2008/3009, art. 2(1)(2)(a)(3)

*[<sup>F16</sup>Road traffic offences in Republic of Ireland]*

**Textual Amendments**

**F16** Words in s. 56 cross-heading substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by Criminal Justice and Courts Act 2015 (c. 2), s. 95(1), Sch. 7 para. 4 (with Sch. 7 para. 27); S.I. 2017/189, art. 3

**56 Application of section 57 U.K.**

(1) Section 57 applies where—

- [<sup>F17</sup>(a) an individual (“the offender”) is convicted in the Republic of Ireland of an offence described in Schedule 3B,
- (aa) when convicted, the offender—
  - (i) is normally resident in the United Kingdom, or
  - (ii) is not normally resident in the United Kingdom but holds a Great Britain licence or a Northern Ireland licence,]
- (b) no appeal is outstanding in relation to the offence,
- (c) the driving disqualification condition is met in relation to the offence, and
- (d) the offender was duly notified of the proceedings (“the relevant proceedings”) in which the disqualification was imposed and was entitled to take part in them.

[<sup>F18</sup>(2) The driving disqualification condition is met—

- (a) in relation to an offence mentioned in Part 1 of Schedule 3B, if the offender is disqualified in the Republic of Ireland as a result of the offence;
- (b) in relation to an offence mentioned in Part 2 of that Schedule, if the offender is disqualified in the Republic of Ireland for a period not less than the minimum period as a result of the offence.]

(3) For the purposes of this section an offender is disqualified in [<sup>F19</sup>the Republic of Ireland] if he is disqualified [<sup>F20</sup>there] for holding or obtaining a licence to drive a motor vehicle granted under [<sup>F21</sup>the law of the Republic of Ireland] (however the disqualification is described under that law).

[<sup>F22</sup>(4) The minimum period is—

- (a) for an offence in relation to which the Secretary of State has by regulations specified a period of less than six months, that period;
- (b) for any other offence, a period of six months.]

[<sup>F23</sup>(5) .....

(6) Section 57 does not apply if the relevant proceedings were brought later than the time at which summary proceedings for any corresponding offence under the law of [<sup>F24</sup>the relevant part of the United Kingdom] could have been brought.

[<sup>F25</sup>(6A) In subsection (6), “the relevant part of the United Kingdom” means—

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- (a) where the offender was normally resident in the United Kingdom when convicted, the part of the United Kingdom in which the offender was normally resident at that time;
- (b) where the offender was not normally resident in the United Kingdom when convicted but held a Great Britain licence or a Northern Ireland licence, the part of the United Kingdom in which the offender was last normally resident before conviction.]

<sup>F26</sup>(7) . . . . .

(8) The appropriate Minister may make regulations [<sup>F27</sup>about when] offences under the law of a part of the United Kingdom [<sup>F28</sup>are to be treated for the purposes of this section] as corresponding to offences under the law of [<sup>F29</sup>the Republic of Ireland].

(9) For the purposes of this section no appeal is outstanding in relation to an offence if—

- (a) no appeal is brought against an offender’s conviction of the offence, or any decision made as a result of his conviction, within the time allowed for making such appeals, or
- (b) such an appeal is brought and the proceedings on appeal are finally concluded.

[<sup>F30</sup>(10) The Secretary of State may by regulations amend Schedule 3B.]

#### Textual Amendments

- F17** S. 56(1)(a)(aa) substituted for s. 56(1)(a) (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), ss. 31\(4\), 95\(1\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F18** S. 56(2) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(2\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F19** Words in s. 56(3) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(3\)\(a\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F20** Word in s. 56(3) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(3\)\(b\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F21** Words in s. 56(3) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(3\)\(c\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F22** S. 56(4) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(4\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F23** S. 56(5) omitted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(5\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F24** Words in s. 56(6) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(6\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F25** S. 56(6A) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(7\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3



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- F26** S. 56(7) omitted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(8\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F27** Words in s. 56(8) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(9\)\(a\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F28** Words in s. 56(8) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(9\)\(b\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F29** Words in s. 56(8) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(9\)\(c\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F30** S. 56(10) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 5\(10\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

#### Commencement Information

- I3** S. 56 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)\(4\)](#)

## 57 Recognition in United Kingdom of <sup>F31</sup>Republic of Ireland] driving disqualification **U.K.**

- (1) Where this section applies, the appropriate Minister—
- must give the offender a notice under this section if the unexpired period of <sup>F32</sup>the Republic of Ireland disqualification] is not less than <sup>F33</sup>three months], and
  - may give him a notice under this section if that period is less than <sup>F33</sup>three months].
- (2) The unexpired period of <sup>F34</sup>the Republic of Ireland disqualification] is—
- the period of <sup>F34</sup>the Republic of Ireland disqualification], less
  - any period of that disqualification which is treated by regulations made by the appropriate Minister as having been served in <sup>F35</sup>the Republic of Ireland] .
- (3) The provision which may be made by regulations under subsection (2)(b) includes provision for treating any period during which a central authority or competent authority of <sup>F36</sup>the Republic of Ireland] has seized a licence without returning it as a period which has been served <sup>F37</sup>there].
- (4) If the appropriate Minister gives the offender a notice under this section, the offender is disqualified in each part of the United Kingdom—
- for the relevant period, and
  - if <sup>F38</sup>the Republic of Ireland disqualification] is also effective until a condition is satisfied, until the condition or a corresponding prescribed condition is satisfied.
- (5) The relevant period is the period which—
- begins at the end of the period of 21 days beginning with the day on which the notice is given, and
  - is equal to the unexpired period of <sup>F39</sup>the Republic of Ireland disqualification].

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- (6) But if [<sup>F40</sup>the Republic of Ireland disqualification] is at any time removed otherwise than in prescribed circumstances, the offender ceases to be disqualified in each part of the United Kingdom from that time.
- (7) The appropriate Minister may make regulations substituting a longer period for the period for the time being mentioned in subsection (5)(a).
- (8) Where [<sup>F41</sup>the Republic of Ireland disqualification] is for life—
- (a) the condition in subsection (1)(a) is to be treated as satisfied, and
  - (b) the other references in this section and section 58 to the unexpired period of [<sup>F41</sup>the Republic of Ireland disqualification] are to be read as references to a disqualification for life.

#### Textual Amendments

- F31** Words in s. 57 heading substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(2\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F32** Words in s. 57(1)(a) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(3\)\(a\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F33** Words in s. 57(1)(a)(b) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(4\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3; S.I. 2017/189, art. 3
- F34** Words in s. 57(2) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(3\)\(b\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F35** Words in s. 57(2)(b) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(5\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F36** Words in s. 57(3) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(6\)\(a\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F37** Word in s. 57(3) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(6\)\(b\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F38** Words in s. 57(4)(b) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(3\)\(c\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F39** Words in s. 57(5)(b) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(3\)\(d\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F40** Words in s. 57(6) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(3\)\(e\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3
- F41** Words in s. 57(8) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 6\(3\)\(f\)](#) (with [Sch. 7 paras. 23-27](#)); S.I. 2017/189, art. 3

#### Commencement Information

- I4** S. 57 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)\(4\)](#)



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**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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

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## 58 Notice under section 57 **U.K.**

- (1) A notice under section 57 must—
  - (a) give particulars of the offence in respect of which [<sup>F42</sup>the Republic of Ireland disqualification] was imposed and the period of that disqualification,
  - (b) state that the offender is disqualified in each part of the United Kingdom for a period equal to the unexpired period of [<sup>F42</sup>the Republic of Ireland disqualification],
  - (c) state the date from which, and period for which, he is disqualified,
  - (d) give particulars of any relevant condition mentioned in section 57(4)(b),
  - (e) give details of his right to appeal under section 59.
- (2) A notice under section 57 must be in writing.
- (3) A notice under section 57 may contain such other information as the appropriate Minister considers appropriate.

### Textual Amendments

**F42** Words in s. 58(1)(a)(b) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 7](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

### Commencement Information

**I5** S. 58 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)\(4\)](#)

## *Appeals*

## 59 Appeal against disqualification **U.K.**

- (1) A person who is disqualified by virtue of section 57 may, after giving notice to the appropriate Minister of his intention to do so, appeal to the appropriate court against the disqualification.
- (2) The appropriate court is—
  - (a) in relation to England and Wales, a magistrates' court <sup>F43</sup> ...,
  - (b) in relation to Scotland, the sheriff within whose jurisdiction the applicant resides,
  - (c) in relation to Northern Ireland, a court of summary jurisdiction <sup>F44</sup> ....
- (3) The appeal must be made before the end of the period of 21 days beginning with the day on which the notice under section 57 is given to the applicant.
- (4) But the appropriate Minister may make regulations substituting a longer period for the period for the time being mentioned in subsection (3).
- (5) If the appropriate court is satisfied that section 57 does not apply to the applicant's case, it must allow the appeal.
- (6) Otherwise it must dismiss the appeal.
- (7) Where on an appeal against the disqualification the appeal is allowed, the court by which the appeal is allowed must send notice of that fact to the appropriate Minister.

**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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

- (8) The notice must—
- (a) be sent in such manner and to such address, and
  - (b) contain such particulars,
- as the appropriate Minister may determine.

#### Textual Amendments

- F43** Words in s. 59(2)(a) omitted (1.4.2005) by virtue of Courts Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/886), art. 1, Sch. para. 97
- F44** Words in s. 59(2)(c) repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 122, Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

#### Commencement Information

- I6** S. 59 in force at 28.1.2010 for specified purposes by S.I. 2008/3009, art. 2(1)(2)(a)(4)

## 60 Power of appellate courts in England and Wales to suspend disqualification **U.K.**

- (1) This section applies where a person is disqualified by virtue of section 57.
- (2) Where the person appeals to a magistrates' court against the disqualification, the court may, if it thinks fit, suspend the disqualification.
- (3) Where the person makes an application in respect of the decision of the court under section 111 of the Magistrates' Courts Act 1980 (c. 43) (statement of case), the High Court may, if it thinks fit, suspend the disqualification.
- (4) Where the person has appealed, or applied for leave to appeal, to the [<sup>F45</sup> Supreme Court ] under section 1 of the Administration of Justice Act 1960 (c. 65) from any decision of the High Court which is material to the disqualification, the High Court may, if it thinks fit, suspend the disqualification.
- (5) Any power of a court under this section to suspend the disqualification is a power to do so on such terms as the court thinks fit.
- (6) Where, by virtue of this section, a court suspends the disqualification, it must send notice of the suspension to the Secretary of State.
- (7) The notice must—
  - (a) be sent in such manner and to such address, and
  - (b) contain such particulars,
 as the Secretary of State may determine.

#### Textual Amendments

- F45** Words in s. 60(4) substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), s. 148(1), Sch. 9 para. 79; S.I. 2009/1604, art. 2(d)

#### Commencement Information

- I7** S. 60 in force at 28.1.2010 for specified purposes by S.I. 2008/3009, art. 2(1)(2)(a)(4)

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**Changes to legislation:** *Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

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## 61 Power of appellate courts in Scotland to suspend disqualification **U.K.**

- (1) This section applies where a person is disqualified by virtue of section 57.
- (2) Where the person appeals to the sheriff against the disqualification, the sheriff may, if he thinks fit, suspend the disqualification on such terms as he thinks fit.
- (3) Where the person appeals to the High Court of Justiciary from any decision of the sheriff, the court may, if it thinks fit, suspend the disqualification on such terms as it thinks fit.

The power conferred by this subsection may be exercised by a single judge of the court.

- (4) Where, by virtue of this section, a court suspends the disqualification, it must send notice of the suspension to the Secretary of State.
- (5) The notice must—
  - (a) be sent in such manner and to such address, and
  - (b) contain such particulars,
 as the Secretary of State may determine.

### Commencement Information

**I8** S. 61 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(a\)\(4\)](#)

## 62 Power of appellate courts in Northern Ireland to suspend disqualification **U.K.**

- (1) This section applies where a person is disqualified by virtue of section 57.
- (2) Where the person appeals to a court of summary jurisdiction against the disqualification, the court may, if it thinks fit, suspend the disqualification.
- (3) Where the person makes an application in respect of the decision of the court under Article 146 of the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/ 1675 (N.I. 26)) (statement of case), the Court of Appeal may, if it thinks fit, suspend the disqualification.
- (4) Where the person has appealed, or applied for leave to appeal, to the <sup>[F46]</sup> Supreme Court ] under section 41 of the Judicature (Northern Ireland) Act 1978 (c. 23) from any decision of the Court of Appeal which is material to the disqualification, the Court of Appeal may, if it thinks fit, suspend the disqualification.
- (5) Any power of a court under this section to suspend the disqualification is a power to do so on such terms as the court thinks fit.
- (6) Where, by virtue of this section, a court suspends the disqualification, it must send notice of the suspension to the Department.
- (7) The notice must—
  - (a) be sent in such manner and to such address, and
  - (b) contain such particulars,
 as the Department may determine.

**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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

#### Textual Amendments

**F46** Words in s. 62(4) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 9 para. 79](#); [S.I. 2009/1604](#), art. 2(d)

#### Commencement Information

**I9** S. 62 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(a\)\(4\)](#)

### *Production of licence*

## 63 Production of licence: Great Britain **U.K.**

- (1) A person who—
- is given a notice under section 57 by the Secretary of State, and
  - is the holder of a licence,
- must deliver his licence <sup>F47</sup>... to the Secretary of State before the end of the period of 21 days beginning with the day on which the notice is given.
- (2) The Secretary of State may make regulations substituting a longer period for the period for the time being mentioned in subsection (1).
- <sup>F48</sup>(3) .....  
“Receipt” means a receipt issued under section 56 of the Road Traffic Offenders Act 1988 (c. 53).
- (4) Subsection (1) does not apply if [<sup>F49</sup>the competent authority of the Republic of Ireland or the Department] —
- has the licence <sup>F47</sup>... , or
  - has delivered [<sup>F50</sup>it] to the Secretary of State.
- <sup>F51</sup>(5) .....
- (6) If the holder of a licence does not deliver his licence <sup>F47</sup>... to the Secretary of State as required by subsection (1), he is guilty of an offence.
- (7) A person is not guilty of an offence under subsection (6) if he satisfies the court that he has applied for a new licence and has not received it.
- <sup>F52</sup>...
- (8) A person guilty of an offence under subsection (6) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (9) “Licence” means a Great Britain licence, a Northern Ireland licence or a Community licence.

#### Textual Amendments

**F47** Words in s. 63 repealed (8.6.2015) by [Road Safety Act 2006 \(c. 49\)](#), s. 61(1)(10), [Sch. 3 para. 75\(2\)](#), [Sch. 7\(4\)](#); [S.I. 2015/560](#), art. 3 (with arts. 4-9)

**F48** S. 63(3) omitted (30.11.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 10 para. 25](#); [S.I. 2022/1187](#), reg. 4(a) (with Pt. 3)

**Changes to legislation:** *Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

- F49** Words in s. 63(4) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 8\(2\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F50** Words in s. 63(3)(b)(4)(b) substituted (8.6.2015) by [Road Safety Act 2006 \(c. 49\), s. 61\(1\)\(10\), Sch. 3 para. 75\(3\)](#); S.I. 2015/560, art. 3 (with arts. 4-9)
- F51** S. 63(5) omitted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 8\(3\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F52** Words in s. 63(7) repealed (8.6.2015) by [Road Safety Act 2006 \(c. 49\), s. 61\(1\)\(10\), Sch. 3 para. 75\(4\), Sch. 7\(4\)](#); S.I. 2015/560, art. 3 (with arts. 4-9)

**Commencement Information**

- I10** S. 63 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)\(4\)](#)

**64 Production of licence: Northern Ireland U.K.**

- (1) A person who—
  - (a) is given a notice under section 57 by the Department, and
  - (b) is the holder of a licence,
 must deliver his licence and its counterpart to the Department before the end of the period of 21 days beginning with the day on which the notice is given.
- (2) The Department may make regulations substituting a longer period for the period for the time being mentioned in subsection (1).
- (3) If—
  - (a) a person delivers a current receipt for his licence and its counterpart to the Department within the period for the time being mentioned in subsection (1), and
  - (b) on the return of his licence and its counterpart immediately delivers them to the Department,
 the duty under subsection (1) is to be taken as satisfied.  
 “Receipt” means a receipt issued under Article 62 of the Road Traffic Offenders (Northern Ireland) Order 1996 (S.I. 1996/ 1320 (N.I.10)).
- (4) Subsection (1) does not apply if [<sup>F53</sup>the competent authority of the Republic of Ireland or the Secretary of State] —
  - (a) has the licence and its counterpart, or
  - (b) has delivered them to the Department.

<sup>F54</sup>(5) .....

- (6) If the holder of a licence does not deliver his licence and its counterpart to the Department as required by subsection (1), he is guilty of an offence.
- (7) A person is not guilty of an offence under subsection (6) if he satisfies the court that he has applied for a new licence and has not received it.  
  
 In relation to the holder of a Great Britain licence or Community licence, a new licence includes the counterpart of such a licence.
- (8) A person guilty of an offence under subsection (6) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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

- (9) “Licence” means a Northern Ireland licence, a Great Britain licence or a Community licence.

#### Textual Amendments

- F53** Words in s. 64(4) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 9\(2\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F54** S. 64(5) omitted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 9\(3\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

#### Commencement Information

- I11** S. 64 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)\(4\)](#)

## 65 Production of licence: Community licence holders **U.K.**

- (1) This section applies where—
- the holder of a Community licence is disqualified by virtue of section 57, and
  - the licence is sent to the Secretary of State or the Department under section 63 or 64.
- (2) The Secretary of State or (as the case may be) the Department must send—
- the holder’s name and address, and
  - particulars of the disqualification,
- to the licensing authority in the EEA State in respect of which the licence was issued.
- (3) But subsection (2) does not apply if the EEA State is [<sup>F55</sup>the Republic of Ireland].
- (4) The Secretary of State or (as the case may be) the Department must return the licence to the holder—
- on the expiry of the relevant period of the disqualification (within the meaning of section 57), or
  - if earlier, on being satisfied that the holder has left Great Britain or (as the case may be) Northern Ireland and is no longer normally resident there.
- (5) But subsection (4) does not apply at any time where—
- the Secretary of State or the Department would otherwise be under a duty under paragraph (a) of that subsection to return the licence, and
  - the holder would not at that time be authorised by virtue of section 99A(1) of the Road Traffic Act 1988 (c. 52) or Article 15A(1) of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/ 154 (N.I.1)) to drive in Great Britain or Northern Ireland a motor vehicle of any class.
- (6) In that case the Secretary of State or (as the case may be) the Department must—
- send the licence to the licensing authority in the EEA State in respect of which it was issued, and
  - explain to that authority the reasons for so doing.
- (7) “EEA State” has the same meaning as in Part 3 of the Road Traffic Act 1988.



**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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

### Textual Amendments

**F55** Words in s. 65(3) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 7 para. 10](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

### Commencement Information

**I12** S. 65 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(a\)\(4\)](#)

## Disqualification

### 66 Effect of disqualification by virtue of section 57 [U.K.](#)

Where the holder of a Great Britain licence or Northern Ireland licence is disqualified by virtue of section 57, the licence is to be treated as revoked with effect from the beginning of the period of disqualification.

### Commencement Information

**I13** S. 66 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(a\)\(4\)](#)

### 67 Rule for determining end of period of disqualification [U.K.](#)

In determining the expiration of the period for which a person is disqualified by virtue of section 57, any time during which—

- (a) the disqualification is suspended, or
- (b) he is not disqualified,

is to be disregarded.

### Commencement Information

**I14** S. 67 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(a\)\(4\)](#)

## Endorsement

### 68 Endorsement of <sup>F56</sup>driving record]: Great Britain [U.K.](#)

<sup>F57</sup>(1) This section applies where a person who—

- (a) is normally resident in Great Britain, or
  - (b) is not normally resident in Great Britain but holds a Great Britain licence,
- is disqualified by virtue of section 57.]

<sup>F58</sup>(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.]

**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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

<sup>F58</sup>(4) .....

<sup>F58</sup>(5) .....

(6) The endorsement remains effective until four years have elapsed since he was convicted of the offence in relation to which he is disqualified by virtue of section 57.

[<sup>F59</sup>(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.

(8) In this section “driving record” has the meaning given by section 97A of the Road Traffic Offenders Act 1988.]

#### Textual Amendments

**F56** Words in s. 68 heading substituted (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 6(b)(i)**

**F57** S. 68(1) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), **Sch. 7 para. 11** (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

**F58** S. 68(2)(3) (8.6.2015) substituted for s. 68(2)-(5) by [Road Safety Act 2006 \(c. 49\)](#), s. 61(1)(10), **Sch. 3 para. 77(2)**; S.I. 2015/560, art. 3(a) (with arts. 4-9)

**F59** S. 68(7)(8) substituted for s. 68(7) (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 2 para. 6(b)(ii)**

#### Commencement Information

**I15** S. 68 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009](#), art. 2(1)(2)(a)(4)

## 69 Endorsement of licence: Northern Ireland **U.K.**

[<sup>F60</sup>(1) This section applies where a person who—

- (a) is normally resident in Northern Ireland, or
- (b) is not normally resident in Northern Ireland but holds a Northern Ireland licence,

is disqualified by virtue of section 57.]

(2) The Department must secure that particulars of the disqualification are endorsed on the counterpart of any Northern Ireland licence or the counterpart of any Great Britain licence or Community licence which the person—

- (a) may then hold, or
- (b) may subsequently obtain,

until he becomes entitled under subsection (4) or (5) to have a Northern Ireland licence and its counterpart, or a counterpart of his Great Britain licence or Community licence, issued to him free from those particulars.

(3) On the issue to the person of—

- (a) a new Northern Ireland licence, or
- (b) a new counterpart of a Great Britain licence or Community licence,

those particulars must be entered on the counterpart of the new licence or the new counterpart unless he has become so entitled.

**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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

- (4) The person is entitled to have issued to him with effect from the end of the period for which the endorsement remains effective a new Northern Ireland licence with a counterpart free from the endorsement if he—
- applies for a new licence under Article 13(1) of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/ 154 (N.I.1)),
  - surrenders any subsisting licence and its counterpart,
  - pays the fee prescribed by regulations under Part 2 of that Order, and
  - satisfies the other requirements of Article 13(1).
- (5) The person is entitled to have issued to him with effect from the end of that period a new counterpart of any Great Britain licence or Community licence then held by him free from the endorsement if he makes an application to the Department for that purpose in such manner as it may determine.
- (6) The endorsement remains effective until four years have elapsed since he was convicted of the offence in relation to which he is disqualified by virtue of section 57.
- (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 the counterpart of the Northern Ireland licence or the counterpart of any Great Britain licence or Community licence previously held by him.

#### Textual Amendments

- F60** S. 69(1) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 12](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

#### Commencement Information

- I16** S. 69 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)\(4\)](#)

### General

#### 70 Duty of appropriate Minister to inform competent authority **U.K.**

- This section applies where a competent authority of [<sup>F61</sup>the Republic of Ireland] gives the appropriate Minister a notice under [<sup>F62</sup>the specified agreement on driving disqualifications] in respect of any person.
- If the appropriate Minister gives a notice under section 57 to that person, he must give the competent authority particulars of the disqualification which arises by virtue of that section.
- If the appropriate Minister does not give such a notice, he must give his reasons to the competent authority.

#### Textual Amendments

- F61** Words in s. 70(1) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 13\(a\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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

**F62** Words in s. 70(1) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 13\(b\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

#### Commencement Information

**I17** S. 70 in force at 28.1.2010 for specified purposes by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)\(4\)](#)

## 71 Notices **U.K.**

- (1) A notice authorised or required under this Chapter to be given by the appropriate Minister to an individual, or a Community licence required to be returned to its holder by section 65, may be given or returned to him by—
  - (a) delivering it to him,
  - (b) leaving it at his proper address, or
  - (c) sending it to him by post.
- (2) For the purposes of—
  - (a) subsection (1), and
  - (b) section 7 of the Interpretation Act 1978 (c. 30) in its application to that subsection,
 the proper address of any individual is his latest address as known to the appropriate Minister.

#### Commencement Information

**I18** S. 71 in force at 28.1.2010 by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)](#)

## [<sup>F63</sup>71A The specified agreement on driving disqualifications **U.K.**

- (1) In this Chapter, “the specified agreement on driving disqualifications” means the agreement specified from time to time by the Secretary of State by regulations for the purposes of this Chapter.
- (2) The Secretary of State may only specify an agreement made—
  - (a) between the United Kingdom and the Republic of Ireland, and
  - (b) for the purpose of giving effect in one of those States to disqualification from driving imposed in the other on conviction for an offence.
- (3) In this section, “disqualification from driving” means disqualification from holding or obtaining a licence to drive a motor vehicle.]

#### Textual Amendments

**F63** S. 71A inserted (23.2.2017 for specified purposes and otherwise with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), ss. 31\(5\), 95\(1\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, arts. 2, 3

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**Changes to legislation:** *Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

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## 72 Regulations: Great Britain **U.K.**

(1) Any power to make regulations conferred by this Chapter on the Secretary of State is exercisable by statutory instrument.

(2) A statutory instrument containing any such regulations is subject to annulment in pursuance of a resolution of either House of Parliament<sup>F64</sup>, subject to subsection (2A)].

<sup>F65</sup>(2A) A statutory instrument containing regulations under section 54(6), 56(10) or 71A may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.]

(3) The regulations may make different provision for different purposes.

### Textual Amendments

**F64** Words in s. 72(2) inserted (23.2.2017) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 7 para. 14\(2\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 2

**F65** S. 72(2A) inserted (23.2.2017) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 7 para. 14\(3\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 2

### Commencement Information

**I19** S. 72 in force at 28.1.2010 by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(a\)](#)

## 73 Regulations: Northern Ireland **U.K.**

(1) Any power to make regulations conferred by this Chapter on the Department is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/ 1573 (N.I. 12)).

(2) Any such regulations are subject to negative resolution (within the meaning of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))<sup>F66</sup>, subject to subsection (2A)].

<sup>F67</sup>(2A) Regulations made under section 54(7) may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.]

(3) The regulations may make different provision for different purposes.

### Textual Amendments

**F66** Words in s. 73(2) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 7 para. 15\(1\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

**F67** S. 73(2A) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 7 para. 15\(2\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

### Commencement Information

**I20** S. 73 in force at 28.1.2010 by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(a\)](#)

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**Changes to legislation:** *Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

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## 74 Interpretation **U.K.**

(1) In this Chapter—

“appropriate Minister” means—

- (a) in relation to Great Britain, the Secretary of State,
- (b) in relation to Northern Ireland, the Department,

[<sup>F68</sup>“central authority” means an authority designated by the Republic of Ireland as a central authority for the purposes of the specified agreement on driving disqualifications;]

“Community licence”—

- (a) in relation to Great Britain, has the same meaning as in Part 3 of the Road Traffic Act 1988 (c. 52),
- (b) in relation to Northern Ireland, has the same meaning as in Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/ 154 (N.I.1)),

[<sup>F69</sup>“competent authority” means an authority which is a competent authority in relation to the Republic of Ireland for the purposes of the specified agreement on driving disqualifications;]

<sup>F70</sup>  
.....

“counterpart”—

- (a) <sup>F71</sup> .....
- (b) in relation to Northern Ireland, has the same meaning as in Part 2 of the Road Traffic (Northern Ireland) Order 1981 (S.I. 1981/ 154 (N.I.1)),

“the Department” means the Department of the Environment,

“disqualified”, except in section 56, means—

- (a) in relation to Great Britain, disqualified for holding or obtaining a Great Britain licence,
- (b) in relation to Northern Ireland, disqualified for holding or obtaining a Northern Ireland licence,

and [<sup>F72</sup>, except in section 71A,] “disqualification” is to be interpreted accordingly,

<sup>F73</sup>  
.....

“Great Britain licence” means a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988,

“motor vehicle”—

- (a) in relation to Great Britain, has the same meaning as in the Road Traffic Act 1988,
- (b) in relation to Northern Ireland, has the same meaning as in the Road Traffic (Northern Ireland) Order 1995 (S.I. 1995/ 2994 (N.I.18)),

“Northern Ireland licence” means a licence to drive a motor vehicle granted under Part 2 of the Road Traffic (Northern Ireland) Order 1981,

“prescribed” means prescribed by regulations made by the appropriate Minister.

[<sup>F74</sup>“Republic of Ireland disqualification” means the disqualification mentioned in section 56;]

[<sup>F74</sup>“Republic of Ireland licence” means a licence to drive a motor vehicle granted under the law of the Republic of Ireland, including a learner permit.]

(2) In this Chapter a disqualification, or [<sup>F75</sup>Republic of Ireland disqualification], for life is to be treated as being for a period of not less than six months.



**Changes to legislation:** *Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

[<sup>F76</sup>(3) For the purposes of this Chapter, an individual is normally resident in, or in a part of, the United Kingdom, in Great Britain, in Northern Ireland or in the Republic of Ireland if his or her normal residence, as defined in Article 12 of Directive 2006/126/EC of the European Parliament and of the Council of 20th December 2006 on driving licences, is there.]

#### Textual Amendments

- F68** Words in s. 74(1) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 16\(2\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F69** Words in s. 74(1) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 16\(3\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F70** Words in s. 74(1) omitted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 16\(4\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F71** Words in s. 74 omitted (8.6.2015) by virtue of [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\), art. 1\(1\), Sch. 2 para. 6\(c\)](#)
- F72** Words in s. 74(1) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 16\(5\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F73** Words in s. 74(1) omitted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 16\(6\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F74** Words in s. 74(1) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 16\(7\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F75** Words in s. 74(2) substituted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 17](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3
- F76** S. 74(3) inserted (with effect from 1.8.2017 in accordance with S.I. 2017/189, art. 3 and London Gazette notice dated 1.8.2017 (Issue 62012 page 14601)) by [Criminal Justice and Courts Act 2015 \(c. 2\), s. 95\(1\), Sch. 7 para. 18](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3

#### Commencement Information

- I21** S. 74 in force at 28.1.2010 by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)](#)

## 75 Application to Crown **U.K.**

This Chapter applies to vehicles and persons in the public service of the Crown.

#### Commencement Information

- I22** S. 75 in force at 28.1.2010 by [S.I. 2008/3009, art. 2\(1\)\(2\)\(a\)](#)

*Changes to legislation: Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

## CHAPTER 2 U.K.

### MUTUAL RECOGNITION WITHIN THE UNITED KINGDOM ETC.

#### 76 **Recognition in Great Britain of disqualifications in Northern Ireland etc.** U.K.

After section 102 of the Road Traffic Act 1988 there is inserted—

*“Disqualification if disqualified in Northern Ireland etc.*

#### **102A Disqualification while disqualified in Northern Ireland, Isle of Man, Channel Islands or Gibraltar**

- (1) A person is disqualified for holding or obtaining a licence to drive a motor vehicle of any class so long as he is subject to a relevant disqualification imposed outside Great Britain.
- (2) For the purposes of this section a person is subject to a relevant disqualification imposed outside Great Britain if, in respect of any offence—
  - (a) a court in Northern Ireland disqualifies him for holding or obtaining a Northern Ireland licence,
  - (b) a court in the Isle of Man or any of the Channel Islands disqualifies him for holding or obtaining a British external licence, or
  - (c) a court in Gibraltar disqualifies him for holding or obtaining a licence to drive a motor vehicle granted under the law of Gibraltar.
- (3) A certificate signed by the Secretary of State which states, in respect of a person, any matter relating to the question whether he is subject to a relevant disqualification imposed outside Great Britain shall be evidence (in Scotland, sufficient evidence) of the matter so stated.
- (4) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.”

#### **Commencement Information**

**I23** S. 76 in force at 11.10.2004 by S.I. 2004/2624, art. 2(1)(2)(a)

#### 77 **Endorsement of counterparts issued to Northern Ireland licence holders** U.K.

(1) After section 109 of the Road Traffic Act 1988 (c. 52) there is inserted—

#### **“109A Counterparts issued to Northern Ireland licence holders**

- (1) The Secretary of State may issue to any Northern Ireland licence holder who—
  - (a) has delivered his Northern Ireland licence to the Secretary of State, and
  - (b) has provided him with the information specified in, or required under, subsection (3) below (whether or not in pursuance of this section),
 a document (referred to in this Part of this Act in relation to a Northern Ireland licence as a “counterpart”).

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**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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

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- (2) The counterpart must—
- (a) be in such form, and
  - (b) contain such information,
- designed for the endorsement of particulars relating to the Northern Ireland licence as the Secretary of State may determine.
- (3) The information referred to in subsection (1) above is—
- (a) the name and address (whether in Great Britain or Northern Ireland) of the Northern Ireland licence holder;
  - (b) his date of birth;
  - (c) the classes of vehicle which he is authorised by his Northern Ireland licence to drive;
  - (d) the period of validity of the licence;
  - (e) whether it was granted in exchange for a licence issued by a state other than an EEA State; and
  - (f) such other information as the Secretary of State may require for the purposes of the proper exercise of any of his functions under this Part or Part 4 of this Act.
- (4) The Secretary of State—
- (a) may endorse a Northern Ireland licence delivered to him (whether or not in pursuance of this section) in such manner as he may determine—
    - (i) with any part of the information specified in, or required under, subsection (3) above; or
    - (ii) with information providing a means of ascertaining that information or any part of it; and
  - (b) must return the Northern Ireland licence to the holder.
- (5) Subsections (6) to (9), (11) (with the omission of paragraph (a)) and (12) of section 99B of this Act apply for the purposes of this section as if the references to a Community licence were references to a Northern Ireland licence.”

(2) After section 91 of the Road Traffic Offenders Act 1988 (c. 53) there is inserted—

**“91ZA Application to Northern Ireland licence holders**

- (1) The references to a licence in the following provisions of this Act include references to a Northern Ireland licence—
- (a) section 7,
  - (b) section 26(7) and (8) and (9)(b),
  - (c) section 27,
  - (d) section 29(1),
  - (e) section 30,
  - (f) section 31(1),
  - (g) section 32,
  - (h) section 42(5),
  - (i) section 44(1),

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**Changes to legislation:** *Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

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- (j) section 46(2),
  - (k) section 47(2) and (3),
  - (l) section 48(1) and (2).
- (2) Accordingly, the reference in section 27(3)(b) of this Act to the suspension of a licence is to be construed in relation to a Northern Ireland licence holder as a reference to his ceasing to be authorised by virtue of section 109(1) of the Road Traffic Act 1988 to drive in Great Britain a motor vehicle of any class.
- (3) The references in sections 26(9)(a) and 27(3) of this Act to a new licence include references to a counterpart of a Northern Ireland licence.
- (4) In relation to a Northern Ireland licence holder to whom a counterpart is issued under section 109A of the Road Traffic Act 1988, the references in Part 3 of this Act (except sections 75(12), 76(8) and 77(9)) to a licence include references to a Northern Ireland licence.
- (5) Where a court orders the endorsement of the counterpart of any Northern Ireland licence held by a person, it must send notice of the endorsement to the Secretary of State.
- (6) The notice must—
- (a) be sent in such manner and to such address, and
  - (b) contain such particulars,
- as the Secretary of State may determine.
- (7) Where a court orders the holder of a Northern Ireland licence to be disqualified, it must send the Northern Ireland licence and its counterpart (if any), on their being produced to the court, to the Secretary of State.
- (8) The licence and its counterpart must be sent to such address as the Secretary of State may determine.
- (9) Where—
- (a) a notice is sent to the Secretary of State under subsection (5) above, and
  - (b) the particulars contained in the notice include—
    - (i) particulars of an offence in respect of which the holder of a Northern Ireland 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 Northern Ireland.

### **91ZB Effect of endorsement on Northern Ireland licence holders**

Section 91B applies in relation to Northern Ireland licences as it applies in relation to Community licences.”

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#### **Commencement Information**

**I24** S. 77 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(a\)](#)

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**Changes to legislation:** Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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](#)

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## 78 **Prohibition on holding or obtaining Great Britain and Northern Ireland licences** **U.K.**

(1) The Road Traffic Act 1988 (c. 52) is amended as follows.

(2) In section 97 (grant of licences)—

(a) in subsection (1)(c), after sub-paragraph (i) there is inserted—

“(ia) any Northern Ireland licence held by him together with its Northern Ireland counterpart and its counterpart (if any) issued to him under this Part of this Act,”

(b) after subsection (1A) there is inserted—

“(1AA) Where a licence under this Part of this Act is granted to a person who surrenders under sub-paragraph (ia) of subsection (1)(c) above his Northern Ireland licence together with the counterparts mentioned in that sub-paragraph to the Secretary of State—

(a) that person ceases to be authorised by virtue of section 109(1) of this Act to drive in Great Britain a motor vehicle of any class, and

(b) the Secretary of State must send the Northern Ireland licence and its Northern Ireland counterpart to the licensing authority in Northern Ireland together with particulars of the class of motor vehicles to which the licence granted under this Part of this Act relates.”

(3) In section 99 (duration of licences), after subsection (3) there is inserted—

“(3A) Where—

(a) the Secretary of State is sent under a provision of Northern Ireland law corresponding to section 97(1AA) of this Act a licence granted under this Part of this Act to a person to drive a motor vehicle of any class, and

(b) the Secretary of State is satisfied that a Northern Ireland licence to drive a motor vehicle of that or a corresponding class has been granted to that person,

the Secretary of State must serve notice in writing on that person revoking the licence granted under this Part of this Act.”

(4) In section 102 (disqualification to prevent duplication of licences), at the end there is inserted—

“(2) A person is also disqualified for holding or obtaining a licence authorising him to drive a motor vehicle of any class so long as he is authorised by virtue of section 109(1) of this Act to drive a motor vehicle of that or a corresponding class.”

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### Commencement Information

**I25** S. 78 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(a\)](#)

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*Changes to legislation: Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

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## 79 Disability and prospective disability **U.K.**

(1) The Road Traffic Act 1988 (c. 52) is amended as follows.

(2) After section 109A (as inserted by section 77 of this Act) there is inserted—

### **“109B Revocation of authorisation conferred by Northern Ireland licence because of disability or prospective disability**

- (1) If the Secretary of State is at any time satisfied on inquiry—
- (a) that a Northern Ireland licence holder is suffering from a relevant disability, and
  - (b) that he would be required by virtue of section 92(3) of this Act to refuse an application made by the holder at that time for a licence authorising him to drive a vehicle of the class in respect of which his Northern Ireland licence was issued or a class corresponding to that class,
- he may serve notice in writing requiring the licence holder to deliver immediately to the Secretary of State his Northern Ireland licence together with its Northern Ireland counterpart and its counterpart (if any) issued to him under this Part of this Act (“the relevant counterparts”).
- (2) If the Secretary of State is satisfied on inquiry that a Northern Ireland licence holder is suffering from a prospective disability, he may—
- (a) serve notice in writing on the Northern Ireland licence holder requiring him to deliver immediately to the Secretary of State his Northern Ireland licence together with the relevant counterparts, and
  - (b) on receipt of the Northern Ireland licence and those counterparts and of an application made for the purposes of this subsection, grant to the Northern Ireland licence holder, free of charge, a licence for a period determined by the Secretary of State under section 99(1)(b) of this Act.
- (3) The Secretary of State may require a person to provide—
- (a) evidence of his name, address, sex and date and place of birth, and
  - (b) a photograph which is a current likeness of him,
- before granting a licence to him on an application for the purposes of subsection (2) above.
- (4) A person who—
- (a) is required under, or by virtue of, this section to deliver to the Secretary of State his Northern Ireland licence and the relevant counterparts, but
  - (b) without reasonable excuse, fails to do so,
- is guilty of an offence.
- (5) Where a Northern Ireland licence holder to whom a counterpart is issued under section 109A of this Act—
- (a) is required under, or by virtue of, this section to deliver his Northern Ireland licence and that counterpart to the Secretary of State, and
  - (b) is not in possession of them in consequence of the fact that he has surrendered them to a constable or authorised person (within



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**Changes to legislation:** *Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

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the meaning of Part 3 of the Road Traffic Offenders Act 1988) on receiving a fixed penalty notice given to him under section 54 of that Act,

he does not fail to comply with any such requirement if he delivers them to the Secretary of State immediately on their return.

- (6) Where a Northern Ireland licence holder is served with a notice in pursuance of this section, he shall cease to be authorised by virtue of section 109(1) of this Act to drive in Great Britain a motor vehicle of any class from such date as may be specified in the notice, not being earlier than the date of service of the notice.
- (7) Where a Northern Ireland licence is delivered to the Secretary of State in pursuance of this section, he must—
- (a) send the licence and its Northern Ireland counterpart to the licensing authority in Northern Ireland, and
  - (b) explain to them his reasons for so doing.

### **109C Information relating to disabilities etc**

Section 94 of this Act shall apply to a Northern Ireland licence holder who is normally resident in Great Britain as if—

- (a) in subsection (1), for the words from the beginning to “aware” there were substituted “ If a Northern Ireland licence holder who is authorised by virtue of section 109(1) of this Act to drive in Great Britain a motor vehicle of any class, is aware immediately before the relevant date, or becomes aware on or after that date ”,
- (b) after that subsection there were inserted—

“(1A) For the purposes of subsection (1) “relevant date” means—

- (a) in the case where the licence holder first became normally resident in Great Britain on or before the date on which section 79 of the Crime (International Co-operation) Act 2003 comes into force, that date; and
  - (b) in any other case, the date on which he first became so resident.”,
- (c) for subsection (3A) there were substituted—

“(3A) A person who—

- (a) is authorised by virtue of section 109(1) of this Act to drive in Great Britain a motor vehicle of any class, and
  - (b) drives on a road a motor vehicle of that class,
- is guilty of an offence if at any earlier time while he was so authorised he was required by subsection (1) above to notify the Secretary of State but has failed without reasonable excuse to do so.”,
- (d) in subsection (4), the words “an applicant for, or” (in both places) were omitted,
  - (e) in subsection (5), the words “applicant or” and the words from the beginning of paragraph (c) to “provisional licence” were omitted,

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**Changes to legislation:** *Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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*

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- (f) in subsection (6)(b), the words “applicant or” (in both places) were omitted,
  - (g) in subsection (7), the words “applicant or” were omitted, and
  - (h) in subsection (8)—
    - (i) for “93” there were substituted “ 109B ”, and
    - (ii) the words “applicant or” (in both places) were omitted.”
- (3) In section 93 (revocation of licence because of disability or prospective disability)—
- (a) in subsection (2A), at the end there is inserted “ or subsection (6) below ”,
  - (b) at the end there is inserted—
    - “(5) Where the Secretary of State—
      - (a) is at any time sent by the licensing authority in Northern Ireland a licence under a provision of Northern Ireland law corresponding to section 109B of this Act, and
      - (b) by virtue of the reasons given by that authority for sending the licence is at that time satisfied as mentioned in subsection (1) (a) and (b) above or that the licence holder is suffering from a prospective disability,
 the Secretary of State may serve notice in writing on the licence holder revoking the licence with effect from such date as may be specified in the notice, not being earlier than the date of service of the notice.
    - (6) Where the reasons given by the licensing authority in Northern Ireland for sending the licence relate to a prospective disability of the holder, the Secretary of State may, on an application made for the purposes of this subsection, grant to the holder, free of charge, a new licence for a period determined by the Secretary of State under section 99(1)(b) of this Act.”

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**Commencement Information**

**I26** S. 79 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(a\)](#)

**Changes to legislation:**

Crime (International Co-operation) Act 2003, Part 3 is up to date with all changes known to be in force on or before 20 April 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.

[View outstanding changes](#)

**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):

- s. 4A4B inserted by [2003 c. 44 Sch. 36 para. 16](#)