
Changes to legislation: Road Safety Act 2006, Paragraph 28 is up to date with all changes known to be in force on or before 26 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

SCHEDULES

SCHEDULE 2

ENDORSEMENT: UNLICENSED AND FOREIGN DRIVERS

Road Traffic Offenders Act 1988 (c. 53)

- 28 (1) Section 83 (powers of court in cases of deception) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) This section also applies where—
- (a) particulars are endorsed on a person's driving record under section 57A of this Act because the fixed penalty clerk or the Secretary of State is deceived as to whether endorsement under that section is excluded by section 61A(2) of this Act by virtue of the fact that the person to whom the fixed penalty notice was given would be liable to be disqualified under section 35 of this Act if he were convicted of the offence, or
 - (b) particulars are endorsed on a person's driving record under section 77A of this Act because the appropriate person or court is deceived as to whether proceedings against the person are excluded by section 76 of this Act by virtue of the fact that the person to whom the conditional offer is issued would be liable to be disqualified under section 35 of this Act if he were convicted of the offence.”
- (3) In subsection (2)—
- (a) in paragraph (a), for “licence holder” substitute “ person to whom the fixed penalty notice was given or conditional offer was issued ”,
 - (b) in paragraph (b), for “the licence holder” substitute “ he ”,
 - (c) after “57” insert “ or 57A ”, and
 - (d) after “77” insert “ or 77A ”.

Commencement Information

II Sch. 2 para. 28 in force at 1.4.2009 by [S.I. 2008/3164](#), [art. 4\(b\)](#)

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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\(5\)](#)