

Changes to legislation: There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, PART 1. (See end of Document for details)

SCHEDULES

SCHEDULE 10

SURRENDER OF LICENCES: MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS TO THE ROAD TRAFFIC OFFENDERS ACT 1988

1 The Road Traffic Offenders Act 1988 is amended as follows.

Commencement Information

- I1** Sch. 10 para. 1 not in force at Royal Assent, see [s. 208\(1\)](#)
I2 [Sch. 10 para. 1](#) in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with [Pt. 3](#))

2 (1) Section 2 (requirement of warning etc: supplementary) is amended as follows.

- (2) In subsection (2)—
(a) omit “, or” at the end of paragraph (a);
(b) omit paragraph (b).

Commencement Information

- I3** Sch. 10 para. 2 not in force at Royal Assent, see [s. 208\(1\)](#)
I4 [Sch. 10 para. 2](#) in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with [Pt. 3](#))

3 (1) Section 26 (interim disqualification) is amended as follows.

- (2) In subsection (8), omit “has not caused it to be delivered, or has not posted it, in accordance with section 7 of this Act and”.
- (3) In subsection (9)—
(a) omit “, or” at the end of paragraph (a);
(b) omit paragraph (b).

Commencement Information

- I5** Sch. 10 para. 3 not in force at Royal Assent, see [s. 208\(1\)](#)
I6 [Sch. 10 para. 3](#) in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with [Pt. 3](#))

4 (1) Section 27 (production of licence) is amended as follows.

- (2) In subsection (3), omit “has not caused it to be delivered, or posted it, in accordance with section 7 of this Act and”.

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- (3) Omit subsection (4) (which has already been repealed as it extends to Scotland).
- (4) Omit subsections (4A) and (5).

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- I7** Sch. 10 para. 4 not in force at Royal Assent, see **s. 208(1)**
- I8** Sch. 10 para. 4 in force at 30.11.2022 by S.I. 2022/1187, **reg. 4(a)** (with Pt. 3)

- 5 (1) Section 47 (supplementary provisions as to disqualifications and endorsements) is amended as follows.
 - (2) In subsection (2), omit “a court orders the endorsement of a person’s driving record it may, and where”.
 - (3) Omit subsection (2A).

Commencement Information

- I9** Sch. 10 para. 5 not in force at Royal Assent, see **s. 208(1)**
- I10** Sch. 10 para. 5 in force at 30.11.2022 by S.I. 2022/1187, **reg. 4(a)** (with Pt. 3)

- 6 Omit section 56 (licence receipts).

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- I11** Sch. 10 para. 6 not in force at Royal Assent, see **s. 208(1)**
- I12** Sch. 10 para. 6 in force at 30.11.2022 by S.I. 2022/1187, **reg. 4(a)** (with Pt. 3)

- 7 (1) Section 57A (endorsement of driving records without hearings) is amended as follows.
 - (2) In subsection (3)—
 - (a) after “penalty is made” insert “in accordance with this Part”;
 - (b) omit “and return to that person any licence surrendered by him under section 54 of this Act”.
 - (3) In subsection (4), omit “and return to that person any licence surrendered by him under section 54 of this Act”.
 - (4) In subsection (5)(b), after “him” insert “in accordance with this Part”.

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- I13** Sch. 10 para. 7 not in force at Royal Assent, see **s. 208(1)**
- I14** Sch. 10 para. 7 in force at 30.11.2022 by S.I. 2022/1187, **reg. 4(a)** (with Pt. 3)

- 8 (1) Section 61A (fixed penalty notice mistakenly given: exclusion of fixed penalty procedures) is amended as follows.
 - (2) In subsection (3), omit “and send the chief officer of police any licence sent to him under section 54(7) of this Act”.

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- I15** Sch. 10 para. 8 not in force at Royal Assent, see [s. 208\(1\)](#)
I16 [Sch. 10 para. 8](#) in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 9 (1) Section 69 (payment of penalty) is amended as follows.
(2) In subsection (1), omit “or authorised person”.

Commencement Information

- I17** Sch. 10 para. 9 not in force at Royal Assent, see [s. 208\(1\)](#)
I18 [Sch. 10 para. 9](#) in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 10 (1) Section 70 (registration certificates) is amended as follows.
(2) In subsection (2A)(a), omit “or given by an authorised person”.
(3) In subsection (3A)(a), omit “or given by an authorised person”.

Commencement Information

- I19** Sch. 10 para. 10 not in force at Royal Assent, see [s. 208\(1\)](#)
I20 [Sch. 10 para. 10](#) in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 11 (1) Section 79 (statements by constables) is amended as follows.
(2) In subsection (1), omit “or a notice under section 54(5) of this Act”.
(3) In subsection (6)—
(a) omit “, and” at the end of paragraph (a);
(b) omit paragraph (b).

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- I21** Sch. 10 para. 11 not in force at Royal Assent, see [s. 208\(1\)](#)
I22 [Sch. 10 para. 11](#) in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 12 In section 80 (certificates about payment)—
(a) in the heading, after “payment” insert “etc”;
(b) after paragraph (b) insert “, or
(c) that the identification requirements specified in section 69(3C) or 75(8B) have been fulfilled,”;
(c) in the words after paragraph (b), for “it” substitute “the penalty”.

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- I23** Sch. 10 para. 12 not in force at Royal Assent, see [s. 208\(1\)](#)
I24 [Sch. 10 para. 12](#) in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 13 (1) In section 84(a) (regulations), omit “54(5), 56,”.

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- (2) The reference in sub-paragraph (1) of this paragraph to section 84(a) is to be read as a reference to section 84(1)(a), if the condition in sub-paragraph (3) is met.
- (3) The condition is that section 16(3) of the Domestic Violence, Crime and Victims Act 2004 (which amends section 84) comes into force before the repeal of section 54(5) of the Road Traffic Offenders Act 1988 made by section 93(3)(b) of this Act.

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- I25** Sch. 10 para. 13 not in force at Royal Assent, see [s. 208\(1\)](#)
I26 Sch. 10 para. 13 in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 14 (1) Section 89 (interpretation) is amended as follows.
- (2) In subsection (1), omit the definition of “authorised person”.
- (3) In subsection (1), in the definition of “chief officer of police”, omit “(except in the definition of “authorised person”)”.

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- I27** Sch. 10 para. 14 not in force at Royal Assent, see [s. 208\(1\)](#)
I28 Sch. 10 para. 14 in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 15 (1) Section 90 (index to Part 3) is amended as follows.
- (2) In the table, omit the entry for “authorised person”.

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- I29** Sch. 10 para. 15 not in force at Royal Assent, see [s. 208\(1\)](#)
I30 Sch. 10 para. 15 in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 16 In section 91ZA(1) (application to Northern Ireland licence holders), after paragraph (c) insert—
“ca) section 37A,”.

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- I31** Sch. 10 para. 16 not in force at Royal Assent, see [s. 208\(1\)](#)
I32 Sch. 10 para. 16 in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 17 In section 91A(1) (application to Community licence holders)—
(a) omit “and (9)(b),”;
(b) for “and 27” substitute “, 27 and 37A”.

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- I33** Sch. 10 para. 17 not in force at Royal Assent, see [s. 208\(1\)](#)
I34 Sch. 10 para. 17 in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

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- 18 (1) Schedule 1 (offences to which sections 1, 6, 11 and 12(1) apply) is amended as follows.
- (2) In paragraph 2(a), after “section” insert “37A or”.
- (3) In paragraph 2(d)—
- (a) after “under” insert “section 3A(2) or”;
 - (b) for “3(5)” substitute “5A(2) or 8A(2)”.

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I35 Sch. 10 para. 18 not in force at Royal Assent, see [s. 208\(1\)](#)

I36 Sch. 10 para. 18 in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

- 19 In Part 1 of Schedule 2 (prosecution and punishment of offences), in the entry relating to section 27 of the Road Traffic Offenders Act 1988, for the words in column 2 (general nature of offence) substitute—

“Failing to produce licence to court when required to do so.”
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I37 Sch. 10 para. 19 not in force at Royal Assent, see [s. 208\(1\)](#)

I38 Sch. 10 para. 19 in force at 30.11.2022 by [S.I. 2022/1187](#), [reg. 4\(a\)](#) (with Pt. 3)

Changes to legislation:

There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, PART 1.