



Road Traffic Act 1972

1972 CHAPTER 20

PART III

LICENSING OF DRIVERS OF VEHICLES

Disqualification and endorsement of licences

104 Information as to date of birth and sex

- (1) If on convicting a person of an offence involving obligatory or discretionary disqualification or of such other offence as may be prescribed, the court orders his driving licence to be endorsed or orders him to be disqualified under section 103(1) of this Act and does not know his date of birth, the court shall order him to state that date in writing.
- (2) It shall be the duty of a person giving a notification to the clerk of a court in pursuance of section 1(2) of the Magistrates' Courts Act 1957 (which relates to pleas of guilty in the absence of the accused) in respect of an offence mentioned in subsection (1) above to include in the notification a statement of the date of birth and the sex of the accused; and in a case where the foregoing provisions of this subsection are not complied with the court shall, if on convicting the accused it orders his driving licence to be endorsed or orders him to be disqualified under the said section 103(1) and does not know his date of birth or sex, order him to furnish that information in writing to the court.
- (3) Nothing in section 56(5) of the Criminal Justice Act 1967 (which provides that where a magistrates' court commits a person to another court under subsection (1) of that section, certain of its powers and duties are transferred to that other court) shall apply to any duty imposed upon a magistrates' court by the foregoing provisions of this section in consequence of an order for disqualification made under the said section 103(1).
- (4) A person who knowingly fails to comply with an order under subsection (1) or (2) above shall be guilty of an offence.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (5) Where in accordance with this section a person has stated his date of birth to a court or in such a notification as aforesaid, the Secretary of State may serve on that person a notice in writing requiring him to furnish the Secretary of State—
- (a) with such evidence in that person's possession or obtainable by him as the Secretary of State may specify for the purpose of verifying that date ; and
 - (b) if his name differs from his name at the time of his birth, with a statement in writing specifying his name at that time;
- and a person who knowingly fails to comply with a notice under this subsection shall be guilty of an offence.
- (6) In the application of this section to Scotland—
- (a) for subsection (2) there shall be substituted the following subsection:
 - “(2) Where, in pursuance of section 26(3) of the Summary Jurisdiction (Scotland) Act 1954 (pleas in absence of accused), a person gives written intimation of a plea of guilty in respect of an offence mentioned in subsection (1) above, he shall include in that written intimation a statement of the accused's date of birth and sex, and in a case where the foregoing provisions of this subsection are not complied with the court, if on convicting the accused it orders his licence to be endorsed and does not know his date of birth or sex, shall order him to furnish that information in writing to the court.”
 - (b) subsection (3) does not apply ;
 - (c) in subsection (5) for the word " notification " there shall be substituted the words " written intimation ".