



Road Traffic Act 1991

1991 CHAPTER 40

PART I

GENERAL

Penalties

27 Penalty points to be attributed to offences.

For section 28 of the ^{M1}Road Traffic Offenders Act 1988 there shall be substituted—

“28 Penalty points to be attributed to an offence.

- (1) Where a person is convicted of an offence involving obligatory endorsement, then, subject to the following provisions of this section, the number of penalty points to be attributed to the offence is—
 - (a) the number shown in relation to the offence in the last column of Part I or Part II of Schedule 2 to this Act, or
 - (b) where a range of numbers is shown, a number within that range.
- (2) Where a person is convicted of an offence committed by aiding, abetting, counselling or procuring, or inciting to the commission of, an offence involving obligatory disqualification, then, subject to the following provisions of this section, the number of penalty points to be attributed to the offence is ten.
- (3) Where both a range of numbers and a number followed by the words “(fixed penalty)” is shown in the last column of Part I of Schedule 2 to this Act in relation to an offence, that number is the number of penalty points to be attributed to the offence for the purposes of sections 57(5) and 77(5) of this Act; and, where only a range of numbers is shown there, the lowest number in the range is the number of penalty points to be attributed to the offence for those purposes.

Changes to legislation: There are currently no known outstanding effects for the Road Traffic Act 1991, Section 27. (See end of Document for details)

- (4) Where a person is convicted (whether on the same occasion or not) of two or more offences committed on the same occasion and involving obligatory endorsement, the total number of penalty points to be attributed to them is the number or highest number that would be attributed on a conviction of one of them (so that if the convictions are on different occasions the number of penalty points to be attributed to the offences on the later occasion or occasions shall be restricted accordingly).
- (5) In a case where (apart from this subsection) subsection (4) above would apply to two or more offences, the court may if it thinks fit determine that that subsection shall not apply to the offences (or, where three or more offences are concerned, to any one or more of them).
- (6) Where a court makes such a determination it shall state its reasons in open court and, if it is a magistrates' court, or in Scotland a court of summary jurisdiction, shall cause them to be entered in the register (in Scotland, record) of its proceedings.
- (7) The Secretary of State may by order made by statutory instrument—
- (a) alter a number or range of numbers shown in relation to an offence in the last column of Part I or Part II of Schedule 2 to this Act (by substituting one number or range for another, a number for a range, or a range for a number),
 - (b) where a range of numbers is shown in relation to an offence in the last column of Part I, add or delete a number together with the words “(fixed penalty)”, and
 - (c) alter the number of penalty points shown in subsection (2) above;
- and an order under this subsection may provide for different numbers or ranges of numbers to be shown in relation to the same offence committed in different circumstances.
- (8) Where the Secretary of State exercises his power under subsection (7) above by substituting or adding a number which appears together with the words “(fixed penalty)”, that number shall not exceed the lowest number in the range shown in the same entry.
- (9) No order shall be made under subsection (7) above unless a draft of it has been laid before and approved by resolution of each House of Parliament.”

Commencement Information

I1 S. 27 wholly in force at 1.7.1992 see s. 84 and [S.I. 1992/1286, art. 2, Sch.](#)

Marginal Citations

M1 1988 c. 53.

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