

Status: Point in time view as at 11/10/2004.

Changes to legislation: *Crime (International Co-operation) Act 2003, Cross Heading: The Road Traffic Act 1988 (c. 52) is up to date with all changes known to be in force on or before 21 July 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)*

SCHEDULES

SCHEDULE 5

MINOR AND CONSEQUENTIAL AMENDMENTS

The Road Traffic Act 1988 (c. 52)

17 The Road Traffic Act 1988 is amended as follows.

Commencement Information

I1 Sch. 5 para. 17 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 18 In section 88 (exceptions to offence under section 87)—
- (a) in subsection (1A)(b)(ii), for “section 4(1) of or paragraph 6(1) or 9(1)” there is substituted “section 4 of or paragraph 6 or 9”,
 - (b) in subsection (1B)(a), after “Road Traffic Acts” there is inserted “or Chapter 1 of Part 3 of the Crime (International Co-operation) Act 2003”.

Commencement Information

I2 Sch. 5 para. 18(a) in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 19 In section 92 (requirements as to physical fitness of drivers), in subsection (7D), after “99D” there is inserted “or 109C”.

Commencement Information

I3 Sch. 5 para. 19 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 20 In section 94A (driving after refusal or revocation of licence), in subsection (1)—
- (a) in paragraph (a)(ii), for “section 93(1) or (2)” there is substituted “section 93”,
 - (b) in paragraph (a)(iii)—
 - (i) after “section 99C(1) or (2)” there is inserted “or 109B”,
 - (ii) after “Community licence” there is inserted “or Northern Ireland licence”,
 - (c) in paragraph (b)(ii), at the end there is inserted “or Northern Ireland licence”.

Commencement Information

I4 Sch. 5 para. 20 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

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- 21 In section 97 (grant of licences), in subsection (1)(d), for “section 4(1) of or paragraph 6(1) or 9(1)” there is substituted “ section 4 of or paragraph 6 or 9 ”.

Commencement Information

I5 Sch. 5 para. 21 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 22 In section 100 (appeals relating to licences), in subsection (1)—
 (a) in paragraph (c), after “99(3)” there is inserted “ or (3A) ”,
 (b) for “or 99C” there is substituted “ , 99C or 109B ”.

Commencement Information

I6 Sch. 5 para. 22 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 23 In section 105 (regulations)—
 (a) in subsection (2)—
 (i) in paragraph (a), after “this Act,” there is inserted “ Northern Ireland licences, ”,
 (ii) in paragraph (b)(iii), after “this Act” there is inserted “ , of Northern Ireland licences ”,
 (iii) in paragraph (ea), after “counterparts” (in the first place) there is inserted “ of Northern Ireland licences or ” and after “counterparts” (in the second place) there is inserted “ of Northern Ireland licences or (as the case may be) ”,
 (iv) in paragraph (f), before “Community licences” there is inserted “ Northern Ireland licences or ”,
 (b) in subsection (5), for “ , 91A and” there is substituted “ and 91ZA to ”.

Commencement Information

I7 Sch. 5 para. 23 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 24 In section 107 (service of notices), for “99B or 99E” there is substituted “ 99B, 99E or 109A ”.

Commencement Information

I8 Sch. 5 para. 24 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 25 In section 108 (interpretation), in subsection (1)—
 (a) in the definition of “counterpart”, the “and” at the end of paragraph (a) is omitted and after that paragraph there is inserted—
 “(aa) in relation to a Northern Ireland licence, has the meaning given by section 109A of this Act (except in the definition of “Northern Ireland counterpart” below), and”,
 (b) in the definition of “Northern Ireland driving licence” and “Northern Ireland licence”, at the end there is inserted “ and “Northern Ireland counterpart” means the document issued with the Northern Ireland licence as a counterpart under the law of Northern Ireland ”.

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Commencement Information

I9 Sch. 5 para. 25 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 26 In section 109 (provisions as to Northern Ireland drivers' licences)—
- (a) in subsection (1), after “Great Britain,” there is inserted “ in accordance with that licence, ”,
 - (b) in subsection (2), paragraph (b) and the “and” preceding it are omitted,
 - (c) subsections (3) to (5) are omitted.

Commencement Information

I10 Sch. 5 para. 26 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 27 In section 164 (power of constables to require production of driving licence etc.)—
- (a) in subsection (3)—
 - (i) in paragraph (a), before “the Secretary of State” there is inserted “ a person is required to deliver his licence and its counterpart to the Secretary of State under section 63 of the Crime (International Co-operation) Act 2003 or ”,
 - (ii) in paragraph (a)(iii), after “99C” there is inserted “ , 109B ”,
 - (iii) in paragraph (b), after “99C” there is inserted “ , 109B ” and after “or 118” there is inserted “ or section 63 of the Crime (International Co-operation) Act 2003 ”,
 - (b) in subsection (11)—
 - (i) in the definition of “licence”, after “this Act” there is inserted “ , a Northern Ireland licence ”,
 - (ii) after “ “counterpart”,” there is inserted “ “Northern Ireland licence”, ”.

Commencement Information

I11 Sch. 5 para. 27(a)(ii) in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

I12 Sch. 5 para. 27(a)(iii) in force at 11.10.2004 for specified purposes by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

I13 Sch. 5 para. 27(b) in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 28 In section 167 (power of arrest for constable in Scotland), before “Community licence” there is inserted “ Northern Ireland licence or ”.

Commencement Information

I14 Sch. 5 para. 28 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 29 In section 173 (forgery of documents, etc.)—
- (a) in subsection (2)(aa), after “counterpart of a” there is inserted “ Northern Ireland licence or ”,
 - (b) in subsection (4), for “and “Community licence”” there is substituted “ , “Community licence” and “Northern Ireland licence” ”.

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I15 Sch. 5 para. 29 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 30 In section 176 (power to seize certain articles)—
- (a) in subsection (1A), before “Community licence” (in both places) there is inserted “ Northern Ireland licence or ”,
 - (b) in subsection (3A), after “such licence or” there is inserted “ of a Northern Ireland licence or ”,
 - (c) in subsection (8), for “and “Community licence”” there is substituted “ , “Community licence” and “Northern Ireland licence” ”.

Commencement Information

I16 Sch. 5 para. 30 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 31 In section 193A (tramcars and trolley vehicles), in subsection (2)(b), for “91A,” there is substituted “ 91ZA to ”.

Commencement Information

I17 Sch. 5 para. 31 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

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