



Road Traffic Act 1988

1988 CHAPTER 52

PART III

LICENSING OF DRIVERS OF VEHICLES

Appeals

100 Appeals relating to licences.

- (1) A person who is aggrieved by the Secretary of State's—
 - (a) refusal to grant or revocation of a licence in pursuance of section 92 or 93 of this Act, or
 - (b) determination under section 99(1)(b) of this Act to grant a licence for three years or less, or
 - (c) revocation of a licence in pursuance of section 99(3) [^{F1}or (3A)] of this Act, or by a notice served on him in pursuance of section 92(5) [^{F2}, 99C or 109B] of this Act may, after giving to the Secretary of State notice of his intention to do so, appeal to a magistrates' court ^{F3} . . . or, in Scotland, to the sheriff within whose jurisdiction he resides.
- (2) On any such appeal the court or sheriff may make such order as it or he thinks fit and the order shall be binding on the Secretary of State.
- (3) It is hereby declared that, without prejudice to section 90 of this Act, in any proceedings under this section the court or sheriff is not entitled to entertain any question as to whether the appellant passed a test of competence to drive if he was declared by the person who conducted it to have failed it.

Textual Amendments

- F1** Words in s. 100(1)(c) inserted (11.10.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\)](#), ss. 91(1), 94, [Sch. 5 para. 22\(a\)](#); S.I. 2004/2624, [art. 2\(2\)\(b\)](#)

Status: Point in time view as at 01/04/2005. This version of this provision has been superseded.

Changes to legislation: Road Traffic Act 1988, Section 100 is up to date with all changes known to be in force on or before 20 June 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)

- | |
|---|
| <p>F2 Words in s. 100(1) substituted (11.10.2004) by Crime (International Co-operation) Act 2003 (c. 32), ss. 91(1), 94, Sch. 5 para. 22(b); S.I. 2004/2624, art. 2(2)(b)</p> <p>F3 Words in s. 100(1) repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(1)(3), 110, Sch. 8 para. 307, Sch. 10; S.I. 2005/910, art. 3</p> |
|---|

Status:

Point in time view as at 01/04/2005. This version of this provision has been superseded.

Changes to legislation:

Road Traffic Act 1988, Section 100 is up to date with all changes known to be in force on or before 20 June 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.