



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Application to the Crown*

#### **184 Application of sections 5 to 10 to persons subject to service discipline.**

- (1) Sections 5 to 10 of this Act, in their application to [<sup>F1</sup>persons subject to service law and civilians subject to service discipline], apply outside as well as within Great Britain and have effect as if—
- (a) references to proceedings for an offence under any enactment included references to proceedings for [<sup>F2</sup>an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales is that offence],
  - (b) references to the court included a reference to any [<sup>F3</sup>officer] before whom the proceedings take place,
  - (c) references to a constable included references to a member of the provost staff,
  - (d) references to a police station included references to a naval, military or air force unit or establishment,
  - (e) references to a hospital included references to a naval, military or air force unit or establishment at which medical or surgical treatment is provided for [<sup>F4</sup>persons subject to service law or civilians subject to service discipline], [<sup>F5</sup>and ]
  - (f) [<sup>F6</sup>in section 6 a reference to a traffic offence] included a reference to [<sup>F7</sup>an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales is a traffic offence within the meaning of section 6].
- [<sup>F8</sup>(g) in section 6E as it applies by virtue of paragraph (c) above, subsection (2) were omitted and the reference in subsection (1) to any place were to—

*Status: Point in time view as at 28/03/2009. This version of this provision has been superseded.*

*Changes to legislation: Road Traffic Act 1988, Section 184 is up to date with all changes known to be in force on or before 13 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)*

- (i) service living accommodation (as defined by section 96 of the Armed Forces Act 2006), or
- (ii) premises occupied as a residence (alone or with other persons) by the person on whom the requirement is to be imposed or the person to be arrested.]

[<sup>F9</sup>(2) A member of the provost staff may arrest [<sup>F10</sup>without warrant a person who is subject to service law or is a civilian subject to service discipline] if he has reasonable cause to suspect that that person is or has been committing an offence under section 4.

(2A) The power conferred by subsection (2) is exercisable outside as well as within Great Britain.]

[<sup>F11</sup>(3) In this section—

“civilian subject to service discipline” has the same meaning as in the Armed Forces Act 2006;

“corresponding offence under the law of England and Wales”, in relation to an offence under section 42 of that Act, has the meaning given by that section;

“member of the provost staff” means—

- (a) anyone who is, or by reason of section 375(5) of that Act is to be treated as, a service policeman for the purposes of that Act; or
- (b) a person lawfully exercising authority on behalf of a provost officer (within the meaning of that Act);

“subject to service law” has the same meaning as in that Act.]

#### Textual Amendments

- F1** Words in s. 184(1) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by Armed Forces Act 2006 (c. 52), ss. 378(1), 383, **Sch. 16 para. 117(2)(a)**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)
- F2** Words in s. 184(1)(a) substituted (28.3.2009 for certain purposes 31.10.2009 in so far as it is not already in force) by Armed Forces Act 2006 (c. 52), ss. 378(1), 383, **Sch. 16 para. 117(2)(b)**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)
- F3** Word in s. 184(1)(b) substituted (28.3.2009 for certain purposes 31.10.2009 in so far as it is not already in force) by Armed Forces Act 2006 (c. 52), ss. 378(1), 383, **Sch. 16 para. 117(2)(c)**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)
- F4** Words in s. 184(1)(e) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by Armed Forces Act 2006 (c. 52), ss. 378(1), 383, **Sch. 16 para. 117(2)(d)(i)**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)
- F5** Word in s. 184(1)(e) repealed (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by Armed Forces Act 2006 (c. 52), ss. 378, 383, **Sch. 16 para. 117(2)(d)(ii)**, **Sch. 17**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)
- F6** Words in s. 184(1)(f) substituted (30.3.2004) by Railways and Transport Safety Act 2003 (c. 20), ss. 107, 121, **Sch. 7 para. 6**; S.I. 2004/827, **art. 3**
- F7** Words in s. 184(1)(f) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by Armed Forces Act 2006 (c. 52), ss. 378(1), 383, **Sch. 16 para. 117(2)(e)**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)
- F8** S. 184(1)(g) added (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by Armed Forces Act 2006 (c. 52), ss. 378(1), 383, **Sch. 16 para. 117(2)(f)**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, {art. 4 } (with transitional provisions in S.I. 2009/1059)
- F9** S. 184(2)(A) substituted (1.1.2006) for s. 184(2) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 111, 178, **Sch. 7 para. 59**; S.I. 2005/3495, **art. 2(1)(m)** (subject to art. 2(2))

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**F10** Words in s. 184(2) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by Armed Forces Act 2006 (c. 52), ss. 378(1), 383, **Sch. 16 para. 117(3)**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)

**F11** S. 184(3) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by Armed Forces Act 2006 (c. 52), ss. 378(1), 383, **Sch. 16 para. 117(4)**S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)

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**Modifications etc. (not altering text)**

**C1** S. 184(1) modified (24.4.2009 for certain purposes otherwise 31.10.2009) by The Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/1059), arts. 1(3), 205, **Sch. 1 para. 30**

**Status:**

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