



# Road Traffic Offenders Act 1988

## 1988 CHAPTER 53

### PART I

#### TRIAL

##### *Trial*

#### 19 Evidence of disqualification in Scotland.

[<sup>F1</sup>(1)] In any proceedings in Scotland for an offence under section 103(1)(b) of the Road Traffic Act 1988 (driving while disqualified) a conviction or extract conviction—

- (a) of which a copy has been served on the accused not less than fourteen days before his trial,
- (b) which purports to be signed by the clerk of court, and
- (c) which shows that the person named in it is disqualified for holding or obtaining a licence,

shall be sufficient evidence of the application of that disqualification to the accused, unless not [<sup>F2</sup>more than seven days after the date of service of the copy] he serves notice on the prosecutor that he denies that it applies to him.

[<sup>F3</sup>(2) A copy of a conviction or extract conviction served on the accused under subsection (1) above shall be served in such manner as may be prescribed by Act of Adjournal, and a written execution purporting to be signed by the person who served such copy conviction or extract conviction together with, where appropriate, the relevant post office receipt shall be sufficient evidence of service of such a copy.]

#### Textual Amendments

- F1** S. 19 renumbered s. 19(1) (31.3.1996) by 1995 c. 20, s. 117(1), **Sch. 6 Pt. I**, para. 171(a); S.I. 1996/517, **art. 3(2)**
- F2** Words in s. 19(1) (as renumbered by 1995 c. 20, s. 117(1), **Sch. 6 Pt. I**, para. 171(a)) inserted (31.3.1996) by 1995 c. 20, s. 117(1), **Sch. 6 P. I**, para. 171(b); S.I. 1996/517, **art. 3(2)**

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*Status: Point in time view as at 05/04/2017.*

*Changes to legislation: Road Traffic Offenders Act 1988, Section 19 is up to date with all changes known to be in force on or before 03 September 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)*

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**F3** S. 19(2) inserted (31.3.1996) by 1995 c. 20, s. 117(1), **Sch. 6 Pt. I**, para. 171(c); S.I. 1996/517, **art. 3(2)**

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

**C1** S. 19 applied (20.10.1997) by 1997 c. 48, **s. 15(1)**; S.I. 1997/2323, art. 3, **Sch. 1**

**Status:**

Point in time view as at 05/04/2017.

**Changes to legislation:**

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