



Magistrates' Courts (Procedure) Act 1998

1998 CHAPTER 15

2 Evidence of previous convictions in motoring cases

- (1) After subsection (3) of section 13 of the Road Traffic Offenders Act 1988 (admissibility of records as evidence), there is inserted—

“(3A) In any case where—

- (a) a person is convicted by a magistrates' court of a summary offence under the Traffic Acts or the Road Traffic (Driver Licensing and Information Systems) Act 1989,
- (b) a statement to which this section applies is produced to the court in the proceedings,
- (c) the statement specifies an alleged previous conviction of the accused of an offence involving obligatory endorsement or an order made on the conviction, and
- (d) the accused is not present in person before the court when the statement is so produced,

the court may take account of the previous conviction or order as if the accused had appeared and admitted it.

(3B) Section 104 of the Magistrates' Courts Act 1980 (under which previous convictions may be adduced in the absence of the accused after giving him seven days' notice of them) does not limit the effect of subsection (3A) above.”

- (2) In subsection (4) of that section, at the end of paragraph (a) there is inserted “other than a summary offence under any of the enactments mentioned in subsection (3A) (a) above”.