

## SCHEDULES

### SCHEDULE 11

#### TRIAL BY SINGLE JUSTICE ON THE PAPERS: FURTHER AMENDMENTS

#### *Road Traffic Offenders Act 1988 (c. 53)*

- 9 (1) Section 7 (duty of accused to provide licence) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) Subsection (1B) applies where—
- (a) proceedings in relation to an offence involving obligatory or discretionary disqualification are instituted by a written charge and a single justice procedure notice,
  - (b) the person prosecuted is the holder of a licence, and
  - (c) after being convicted in proceedings conducted in accordance with section 16A of the Magistrates’ Courts Act 1980, the person is given the opportunity to make representations or further representations under section 16C(2)(a) of that Act.
- (1B) Where this subsection applies, the person must (instead of complying with subsection (1))—
- (a) cause the licence to be delivered to the designated officer specified in the single justice procedure notice within such period as the person is allowed for indicating a wish to make such representations,
  - (b) post it, at such time that in the ordinary course of post it would be delivered within that period, in a letter duly addressed to that officer and either registered or sent by the recorded delivery service, or
  - (c) if the person indicates a wish to make such representations, have the licence with him at the hearing appointed to be held because of that indication.
- (1C) Subsection (1B) does not apply (and subsection (1) applies instead) if, before the period mentioned in subsection (1B)(a) comes to an end, a summons is issued under section 16B(3)(b) or 16C(3)(b) of the Magistrates’ Courts Act 1980.”
- (3) In subsection (2)—
- (a) for “In subsection (1) above “proper officer” means—” substitute “In this section—  
“proper officer” means—”, and
  - (b) at the end insert—  
““single justice procedure notice” and “written charge” have the same meaning as in section 29 of the Criminal Justice Act 2003.”