



# Criminal Justice and Courts Act 2015

## 2015 CHAPTER 2

### PART 1

#### CRIMINAL JUSTICE

##### *Driving offences*

### **31 Mutual recognition of driving disqualification in UK and Republic of Ireland**

- (1) Chapter 1 of Part 3 of the Crime (International Co-operation) Act 2003 (EU Convention on driving disqualifications) is amended as follows.
- (2) For the heading of the Chapter substitute “Mutual recognition of driving disqualification in UK and Republic of Ireland”.
- (3) In section 54 (application of duty of the UK to give notice of driving disqualification)
  - (a) in subsection (1), for paragraph (a) substitute—
    - “(a) an individual (“the offender”) is convicted of a qualifying UK road traffic offence,
    - (aa) when convicted, the offender—
      - (i) is normally resident in the Republic of Ireland, or
      - (ii) is not normally resident in the Republic of Ireland but holds a Republic of Ireland licence,” and”
  - (b) after subsection (1) insert—

“(1A) A qualifying UK road traffic offence is—

    - (a) an offence under the law of England and Wales or Scotland mentioned in Schedule 3;
    - (b) an offence under the law of Northern Ireland mentioned in Schedule 3A.”
- (4) In section 56(1) (application of duty of the UK to recognise driving disqualification imposed outside the UK), for paragraph (a) substitute—

- “(a) an individual (“the offender”) is convicted in the Republic of Ireland of an offence described in Schedule 3B,
- (aa) when convicted, the offender—
  - (i) is normally resident in the United Kingdom, or
  - (ii) is not normally resident in the United Kingdom but holds a Great Britain licence or a Northern Ireland licence.”.

(5) After section 71 insert—

**“71A The specified agreement on driving disqualifications**

- (1) In this Chapter, “the specified agreement on driving disqualifications” means the agreement specified from time to time by the Secretary of State by regulations for the purposes of this Chapter.
  - (2) The Secretary of State may only specify an agreement made—
    - (a) between the United Kingdom and the Republic of Ireland, and
    - (b) for the purpose of giving effect in one of those States to disqualification from driving imposed in the other on conviction for an offence.
  - (3) In this section, “disqualification from driving” means disqualification from holding or obtaining a licence to drive a motor vehicle.”
- (6) In Schedule 7 to this Act—
- (a) Part 1 contains further provision for the purpose of implementing an agreement between the United Kingdom and the Republic of Ireland on the mutual recognition of driving disqualification;
  - (b) Part 2 contains provision about the transition from the EU Convention on driving disqualification to that agreement.