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STATUTORY INSTRUMENTS

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**2005 No. 384**

The Criminal Procedure Rules 2005

PART 55

ROAD TRAFFIC PENALTIES

**Application to magistrates' court for removal of disqualification**

**55.2.**—(1) n application under section 42 of the Road Traffic Offenders Act 1988 or paragraph 7 of Schedule 4 to the Road Traffic (Consequential Provisions) Act 1988<sup>(1)</sup> for an order removing a disqualification or disqualifications for holding or obtaining a licence shall be by complaint.

(2) The justice to whom the complaint is made shall issue a summons directed to the chief officer of police requiring him to appear before a magistrates' court to show cause why an order should not be made on the complaint.

(3) Where a magistrates' court makes an order under either of the provisions mentioned in paragraph (1) the court shall cause notice of the making of the order and a copy of the particulars of the order endorsed on the licence, if any, previously held by the applicant for the order to be sent to the licensing authority to which notice of the applicant's disqualification was sent.

*[Note. Formerly rule 101 of the Magistrates' Courts Rules 1981.]*