



# Powers of Criminal Courts (Sentencing) Act 2000

## 2000 CHAPTER 6

### PART VII

#### FURTHER POWERS OF COURTS

##### *Driving disqualifications*

#### **146 Driving disqualification for any offence.**

- (1) The court by or before which a person is convicted of an offence committed after 31st December 1997 may, instead of or in addition to dealing with him in any other way, order him to be disqualified, for such period as it thinks fit, for holding or obtaining a driving licence.
- (2) Where the person is convicted of an offence the sentence for which is fixed by law or falls to be imposed under section [F<sup>1</sup> 110(2) or 111(2) above, section 51A(2) of the Firearms Act 1968][F<sup>2</sup>, [F<sup>3</sup> section 225(2) or 226(2)] of the Criminal Justice Act 2003 or section 29(4) or (6) of the Violent Crime Reduction Act 2006 ], subsection (1) above shall have effect as if the words “instead of or” were omitted.
- (3) A court shall not make an order under subsection (1) above unless the court has been notified by the Secretary of State that the power to make such orders is exercisable by the court and the notice has not been withdrawn.
- (4) A court which makes an order under this section disqualifying a person for holding or obtaining a driving licence shall require him to produce—
  - (a) any such licence held by him together with its counterpart; F<sup>4</sup> ...
  - [F<sup>5</sup>(aa) in the case where he holds a Northern Ireland licence (within the meaning of Part 3 of the Road Traffic Act 1988), his Northern Ireland licence and its counterpart (if any); or]

*Status: Point in time view as at 14/07/2008. This version of this provision has been superseded.*

*Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Section 146 is up to date with all changes known to be in force on or before 02 September 2023. 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)*

- (b) in the case where he holds a Community licence (within the meaning of Part III of the <sup>M1</sup>Road Traffic Act 1988), his Community licence and its counterpart (if any).
- (5) In this section—
- “driving licence” means a licence to drive a motor vehicle granted under Part III of the <sup>M2</sup>Road Traffic Act 1988;
- “counterpart”—
- (a) in relation to a driving licence, has the meaning given in relation to such a licence by section 108(1) of that Act; <sup>F6</sup>...
- (aa) [<sup>F7</sup> in relation to a Northern Ireland licence, has the meaning given by section 109A of that Act; and]
- (b) in relation to a Community licence, has the meaning given by section 99B of that Act.

#### Textual Amendments

- F1** Words in s. 146(2) substituted (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\), Sch. 32 para. 120](#); [S.I. 2005/950, art. 2\(1\), Sch. 1 para. 42\(34\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122, art. 2](#); and as amended: (14.7.2008) by [2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2](#); [S.I. 2008/1586, Sch. 1 paras. 48\(s\), 50\(2\)\(d\)](#); (30.11.2009) by [S.I. 2009/3111, art. 2](#); (3.12.2012) by [S.I. 2012/2905, art. 4](#); (3.12.2012) by [2012 c. 10, Sch. 14 para. 17](#); [S.I. 2012/2906, art. 2\(1\)](#))
- F2** Words in s. 146(2) substituted (6.4.2007) by [Violent Crime Reduction Act 2006 \(c. 38\), s. 66\(2\), Sch. 1 para. 6\(c\)](#); [S.I. 2007/858, art. 2\(g\)](#))
- F3** Words in s. 146(2) substituted (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\), Sch. 26 para. 47](#); [S.I. 2008/1586, art. 2\(1\), Sch. 1 para. 48\(o\)](#))
- F4** Word in s. 146(4)(a) repealed (11.10.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\), s. 94\(1\), Sch. 5 para. 73\(a\), Sch. 6](#); [S.I. 2004/2624, art. 2\(1\)\(2\)\(b\)](#))
- F5** Words in s. 146(4) inserted (11.10.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\), s. 94\(1\), Sch. 5 para. 73\(a\)](#); [S.I. 2004/2624, art. 2\(1\)\(2\)\(b\)](#))
- F6** Word in s. 146(5) repealed (11.10.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\), s. 94\(1\), Sch. 5 para. 73\(b\), Sch. 6](#); [S.I. 2004/2624, art. 2\(1\)\(2\)\(b\)](#))
- F7** Words in s. 146(5) inserted (11.10.2004) by [Crime \(International Co-operation\) Act 2003 \(c. 32\), s. 94\(1\), Sch. 5 para. 73\(b\)](#); [S.I. 2004/2624, art. 2\(1\)\(2\)\(b\)](#))

#### Marginal Citations

- M1** 1988 c. 52.
- M2** 1988 c. 52.

**Status:**

Point in time view as at 14/07/2008. This version of this provision has been superseded.

**Changes to legislation:**

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