

SCHEDULES

SCHEDULE 2

ENDORSEMENT: UNLICENSED AND FOREIGN DRIVERS

Road Traffic Offenders Act 1988 (c. 53)

- 22 (1) Section 71 (registration of sums payable in default) is amended as follows.
- (2) In subsection (1), after paragraph (a) insert “or” and after paragraph (c) insert “or
(d) if it appears to him that the defaulter does not reside in England, Wales or Scotland—
- (i) in a case where the offence to which the fixed penalty notice or conditional offer relates was committed in the local justice area for which he is the designated officer, he must register that sum for enforcement as a fine in that area by entering it in the register of a magistrates' court acting in that area,
 - (ii) in a case where it was committed in another local justice area in England and Wales, he must send the certificate to the designated officer for that area, and
 - (iii) in a case where it was committed in Scotland, he must send the certificate to the clerk of a court of summary jurisdiction for the area in which the offence was committed.”
- (3) In subsection (2), after paragraph (a) insert “or” and after paragraph (c) insert “or
(d) if it appears to him that the defaulter does not reside in England, Wales or Scotland—
- (i) in a case where the offence to which the fixed penalty notice or conditional offer relates was committed in the area of the court, he must register that sum for enforcement as a fine by that court,
 - (ii) in a case where it was committed in an area of any other court of summary jurisdiction in Scotland, he must send the certificate to the clerk of that court, and
 - (iii) in a case where it was committed in England or Wales, he must send the certificate to the designated officer for the local justice area in which the offence was committed.”
- (4) An order under section 61 may provide that sub-paragraphs (1) to (3) are to come into force only in relation to an area specified in the order.
- (5) If such an order provides that sub-paragraphs (1) to (3) are to come into force only in relation to an area specified in the order, it may also provide that (unless continued in force by a subsequent order) sub-paragraphs (1) to (3) are to remain in force there only for a period specified in the order.