



# Road Traffic Act 1960

## 1960 CHAPTER 16

### PART II

#### MINIMUM AGE FOR DRIVING MOTOR VEHICLES AND LICENSING OF DRIVERS THEREOF

##### *Driving Licences*

#### **104 Disqualification on conviction of certain offences**

- (1) The court before which a person is convicted of an offence specified in the first column of the Eleventh Schedule to this Act—
  - (a) may, subject to any limitation specified in relation to that offence in the second column of that Schedule, order him to be disqualified for holding or obtaining a licence for such period as the court thinks fit;
  - (b) if the conviction is one specified in the third column of the said Eleventh Schedule as involving obligatory disqualification, shall (without prejudice to the power to order a longer period of disqualification) order him to be disqualified as aforesaid in accordance with any provisions of the said third column as to the period of disqualification, unless under those provisions it is permissible for the court to order otherwise and it so orders in accordance with those provisions.
- (2) The obligation imposed by paragraph (b) of the foregoing subsection to order a person to be disqualified if convicted of an offence shall not apply to a conviction of aiding, abetting, counselling or procuring, or inciting to, the commission of the offence; and in the case of an offence under section two of this Act the power conferred by paragraph (a) of that subsection to order a person to be disqualified shall not be exercisable as respects such a conviction as aforesaid unless it is proved that he was present in the vehicle at the time of the commission of the offence.
- (3) The court before which a person is convicted of an offence under section two or three of this Act or under subsection (1) of section six thereof may, whether he has previously passed the prescribed test of competence to drive or not and whether or not the court makes an order under subsection (1) of this section, order him to be

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disqualified for holding or obtaining a licence to drive a motor vehicle until he has, since the date of the order, passed that test; and a disqualification by virtue of an order under this subsection shall be deemed to have expired on production to the licensing authority of evidence in the prescribed form that the person disqualified has, since the order was made, passed that test.