

SCHEDULE 2

Regulation 2(2)

AMENDMENTS TO THE ROAD TRAFFIC OFFENDERS ACT 1988

1. In section 7 (production of licence to clerk of court), after paragraph (c) there shall be inserted the words “and the foregoing obligations imposed on him as respects the licence also apply as respects the counterpart to the licence.”.
2. In section 26 (interim disqualification on committal for sentence)—
 - (a) in subsection (2)—
 - (i) after the words “held by him” there shall be inserted the words “and its counterpart”, and
 - (ii) after the words “such licence” there shall be inserted the words “and its counterpart”; and
 - (b) in subsection (4)—
 - (i) after the word “licence” in paragraph (a) and paragraph (b) there shall be inserted the words “and its counterpart”, and
 - (ii) for the word “its” there shall be substituted the word “their”.
3. In section 27 (production of licence to court)—
 - (a) in subsections (1) and (2), after the words “require the licence” there shall be inserted the words “and its counterpart”;
 - (b) in subsection (3), after the word “it” in the first three places where it occurs there shall be inserted the words “and its counterpart”, and for the words “it is” there shall be substituted the words “it and its counterpart are”; and
 - (c) in subsection (4)—
 - (i) in paragraph (a), after the word “licence” there shall be inserted the words “and its counterpart”,
 - (ii) after the words “and produces the licence” there shall be inserted the words “and its counterpart”, and
 - (iii) for the word “its” there shall be substituted the word “their”.
4. In section 29(1) (penalty points), after the words “endorsed on” there shall be inserted the words “the counterpart of”.
5. In section 30 (penalty points where fixed penalty also)—
 - (a) in subsection (1)(b), after the word “that” there shall be inserted the words “the counterpart of”; and
 - (b) in subsection (2)(b), after the words “endorsed on” there shall be inserted the words “the counterpart of”.
6. In section 31(1) (endorsements may be taken into consideration)—
 - (a) for the word “is” in the second place where it occurs there shall be substituted the words “and its counterpart are”; and
 - (b) after the word “on” there shall be inserted the words “the counterpart of”.
7. In section 32 (court in Scotland may take extract from licensing records into account)—
 - (a) in subsection (1), for the word “is” in the second place where it occurs there shall be substituted the words “and its counterpart are”; and

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- (b) in subsection (2)(b), after the words “endorsed on” there shall be inserted the words “the counterpart of”.
- 8.** In section 36(4) (licence issued to disqualified person after passing another test), for the words “endorsed particulars of the disqualification” there shall be substituted the words “particulars of the disqualification endorsed on the counterpart of the licence”.
- 9.** In section 42(5) (removal of disqualification), after the words “endorsed on” there shall be inserted the words “the counterpart of”.
- 10.** In section 44(1) (endorsement of licences), after the words “endorsed on” there shall be inserted the words “the counterpart of”.
- 11.** In section 45 (effect of endorsement)—
- (a) in subsection (1)—
- (i) after the words “endorsed on” there shall be inserted the words “the counterpart of”,
- (ii) after the words “operate as an order that” there shall be inserted the words “the counterpart of”, and
- (iii) after the words “issued to him” there shall be inserted the words “with its counterpart”;
- (b) in subsection (2)—
- (i) after the words “endorsed on” there shall be inserted the words “the counterpart of”,
- (ii) after the words “entered on” there shall be inserted the words “the counterpart of”, and
- (iii) after the words “issued to him” there shall be inserted the words “with its counterpart”;
- (c) in subsection (3)—
- (i) after the word “person” there shall be inserted the words “the counterpart of”, and
- (ii) after the words “issued to him” there shall be inserted the words “with its counterpart”; and
- (d) in subsection (4)—
- (i) for the words from the beginning to “effective,” there shall be substituted the words “A person the counterpart of whose licence has been ordered to be endorsed is entitled to have issued to him with effect from the end of the period for which the endorsement remains effective a new licence with a counterpart free from the endorsement if”, and
- (ii) after the words “subsisting licence” there shall be inserted the words “and its counterpart”.
- 12.** In section 46(2) (certain convictions to be taken into account in determining punishment or disqualification for later offence), after the words “endorsed on” there shall be inserted the words “the counterpart of”.
- 13.** In section 47 (court, on ordering endorsement, to send licence to Secretary of State)—
- (a) in subsection (2)—
- (i) after the words “endorsement of” there shall be inserted the words “the counterpart of”,
- (ii) for the words “licence, on its” there shall be substituted the words “licence and its counterpart, on their”, and

- (iii) after the words “send the licence” there shall be inserted the words “and its counterpart”; and
 - (b) in subsection (4), after the word “licence” there shall be inserted the words “and the counterpart of a licence”.
- 14.** In section 48 (exemption in certain cases), in paragraph (b), after the words “endorsed on” there shall be inserted the words “the counterpart of”.
- 15.** In section 54 (notices on-the-spot or at police station)–
 - (a) in subsection (3), after the words “his licence” in paragraph (a), the words “the licence” in paragraph (b) and the words “his licence” in paragraph (c) there shall be inserted the words “and its counterpart”;
 - (b) in subsection (4)–
 - (i) in paragraph (b), after the words “his licence” there shall be inserted the words “and its counterpart”, and
 - (ii) in the words following that paragraph, after the words “his licence” there shall be inserted the words “and its counterpart”;
 - (c) in subsection (5)–
 - (i) after the words “his licence” there shall be inserted the words “and its counterpart”,
 - (ii) in paragraph (a), after the word “licence” there shall be inserted the words “and its counterpart”, and
 - (iii) in paragraph (b), after the words “his licence” there shall be inserted the words “and its counterpart”; and
 - (d) in subsection (7), after the word “licence” there shall be inserted the words “and a counterpart of a licence”.
- 16.** In section 56 (licence receipts)–
 - (a) in subsection (1)–
 - (i) after the words “his licence” there shall be inserted the words “and its counterpart”, and
 - (ii) after the words “the licence” there shall be inserted the words “and its counterpart”;
 - (b) in subsection (2)–
 - (i) after the words “his licence” there shall be inserted the words “and its counterpart”, and
 - (ii) for the words “the licence” there shall be substituted the word “them”; and
 - (c) in subsection (3), after the word “licence” there shall be inserted the words “and its counterpart”.
- 17.** In section 57 (endorsement without hearing)–
 - (a) in subsection (1)–
 - (i) after the word “licence” in the second place where it occurs there shall be inserted the words “and its counterpart”, and
 - (ii) after the word “Act,” there shall be inserted the words “the counterpart of”;
 - (b) in subsection (2), at the beginning there shall be inserted the words “The counterpart of”;
 - (c) in subsection (3) and subsection (4)–
 - (i) after the words “particulars on the” there shall be inserted the words “counterpart of the”, and

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- (ii) after the word “it” there shall be inserted the words “together with the licence”; and
 - (d) in subsection (6), after the word “endorsing” there shall be inserted the words “the counterpart of”.
- 18.** In section 58 (effect of endorsement without hearing)–
 - (a) in subsection (1), after the word “Where” there shall be inserted the words “the counterpart of”; and
 - (b) in subsection (2), after the words “endorsement of” there shall be inserted the words “the counterpart of”.
- 19.** In section 61 (mistaken fixed penalty notice)–
 - (a) in subsection (1), after the word “licence” where it first occurs there shall be inserted the words “and its counterpart”; and
 - (b) in subsection (2)–
 - (i) after the words “endorse the” there shall be inserted the words “counterpart of the”, and
 - (ii) after the word “it” there shall be inserted the words “together with the licence”.
- 20.** In section 72 (invalidity of on-the-spot or police station notice)–
 - (a) in subsection (4)–
 - (i) after the words “a licence” there shall be inserted the words “and its counterpart”, and
 - (ii) for the words “that licence” there shall be substituted the words “that counterpart”; and
 - (b) in subsection (6)(a)–
 - (i) after the words “endorsement of” there shall be inserted the words “the counterpart of”, and
 - (ii) after the words “the licence” there shall be inserted the words “and its counterpart”.
- 21.** In section 75(7) (conditional offer in Scotland)–
 - (a) in paragraph (a)(ii), after the word “licence” there shall be inserted the words “and its counterpart”; and
 - (b) in paragraph (b)–
 - (i) for the words “licence is” there shall be substituted the words “licence and its counterpart are”, and
 - (ii) for the words “the licence” there shall be substituted the word “them”.
- 22.** In section 76(5) (effect of payment of penalty)–
 - (a) in paragraph (a), after the word “licence” there shall be inserted the words “and its counterpart”;
 - (b) in paragraph (b), after the word “licence” there shall be inserted the words “and counterpart”; and
 - (c) in paragraph (i), after the word “licence” there shall be inserted the words “and its counterpart”.
- 23.** In section 77 (endorsement where penalty paid)–
 - (a) in subsection (1)–
 - (i) after the words “his licence” there shall be inserted the words “and its counterpart”,

- (ii) after the words “the licence” where they first occur there shall be inserted the words “and its counterpart”,
 - (iii) after the words “particulars on” there shall be inserted the words “the counterpart of”, and
 - (iv) at the end there shall be inserted the words “together with the licence.”;
 - (b) in subsection (2), after the words “section on” there shall be inserted the words “the counterpart of”;
 - (c) in subsection (4)(a), after the word “from” there shall be inserted the words “the counterpart of”;
 - (d) in subsection (7), after the word “Where” there shall be inserted the words “the counterpart of”; and
 - (e) in subsection (8), after the words “endorsement of” there shall be inserted the words “the counterpart of”.
- 24.** In section 83(1) (clerk deceived: powers)–
- (a) in paragraph (a), after the word “endorsing” there shall be inserted the words “the counterpart of”; and
 - (b) in paragraph (b)–
 - (i) after the word “endorsing” there shall be inserted the words “the counterpart of”, and
 - (ii) for the words “without endorsing it” there shall be substituted the words “and its counterpart without endorsing the counterpart”.
- 25.** In section 98(1) (interpretation), in the definition of “licence”, at the end, there shall be inserted the words “and “counterpart”, in relation to such a licence, has the same meaning as in that Part of that Act,”.
- 26.** In Schedule 1 (offences to which particular provisions of the Road Traffic Offenders Act 1988 apply)–
- (a) in the table, in the entry for section 99 of the Road Traffic Act 1988 (“RTA”), in column 2, after the words “surrender licence” there shall be inserted the words “and counterpart”; and
 - (b) in the table, in the entry for section 164(6) of the Road Traffic Act 1988 (“RTA”), in column 2, after the word “licence” there shall be inserted the words “and counterpart”.
- 27.** In Schedule 2 (prosecution and punishment of offences)–
- (a) in the entry for section 99 of the Road Traffic Act 1988 (“RTA”), in column 2, after the words “surrender licence” there shall be inserted the words “and counterpart”;
 - (b) in the entry for section 109 of the Road Traffic Act 1988 (“RTA”), in column 2, after the word “licence” there shall be inserted the words “and counterpart”;
 - (c) in the entry for section 164 of the Road Traffic Act 1988 (“RTA”), in column 2, after the word “licence” there shall be inserted the words “and counterpart”;
 - (d) in the entry for section 26 of the Road Traffic Offenders Act 1988, in column 2, after the word “licence” there shall be inserted the words “and counterpart”; and
 - (e) in the entry for section 27 of the Road Traffic Offenders Act 1988, in column 2, after the word “licence” there shall be inserted the words “and counterpart”.
- 28.** In Schedule 5 (Scotland: additional offences open to conditional offer), in the entry for section 99(5) of the Road Traffic Act 1988 (“RTA”), in column 2, after the words “surrender licence” there shall be inserted the words “and counterpart”.