

2001 No. 3343

ROAD TRAFFIC

**The Motor Vehicles
(Access to Driver Licensing Records)
Regulations 2001**

Made - - - - - *5th October 2001*
Laid before Parliament *8th October 2001*
Coming into force - - *29th October 2001*

The Secretary of State, in exercise of the powers conferred upon him by section 71(2) of the Criminal Justice and Court Services Act 2000(a) and all other powers enabling him in that behalf and after consulting Scottish Ministers in accordance with section 71(3) of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Access to Driver Licensing Records) Regulations 2001 and shall come into force on 29th October 2001.

Purposes for which access may be given

2. The purposes for which constables may be given access to information made available to the Police Information Technology Organisation under section 71(1) of the Criminal Justice and Court Services Act 2000 are—

- (a) the prevention, investigation or prosecution of a contravention of any provision of the following enactments—
 - (i) the Road Traffic Act 1988(b);
 - (ii) the Road Traffic Offenders Act 1988(c);
 - (iii) the Road Traffic (Northern Ireland) Order 1981(d);
 - (iv) the Road Traffic (Northern Ireland) Order 1995(e); and
 - (v) the Road Traffic Offenders (Northern Ireland) Order 1996(f);
- (b) ascertaining whether a person has had an order made in relation to him under—
 - (i) section 40B(1) or (5) (disqualification from driving: further provision) of the Child Support Act 1991(g);
 - (ii) section 248A(1) (general power to disqualify offenders) or 248B(2) (power to disqualify fine defaulters) of the Criminal Procedure (Scotland) Act 1995(h); or

(a) 2000 c. 43.

(b) 1988 c. 52.

(c) 1988 c. 53.

(d) S.I. 1981/154 (N.I. 1).

(e) S.I. 1995/2994 (N.I. 18).

(f) S.I. 1996/1360 (N.I. 10).

(g) 1991 c. 48; section 40B was inserted by the Child Support, Pensions and Social Security Act 2000 (c. 19), section 16(3).

(h) 1995 c. 46; sections 248A and 248B were inserted by the Crime and Punishment (Scotland) Act 1997 (c. 48), section 15.

(iii) section 39(1) (offenders) or 40(2) (fine defaulters) of the Crime (Sentences) Act 1997(a).

Further disclosure

3.—(1) Paragraph (2) below specifies the circumstances in which information to which constables have been given access, in accordance with section 71(1) of the Criminal Justice and Court Services Act 2000 and regulation 2 above, may be further disclosed by them.

(2) The circumstances are that the information is passed to an employee of a police authority for any purpose ancillary to, or connected with, the use of the information by constables.

Signed by authority of the Secretary of State for
Transport, Local Government and the Regions

David Jamieson
Parliamentary Under Secretary of State,
Department for Transport, Local Government and the Regions

5th October 2001

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations determine the purposes for which information contained in the Driver Licensing Register and made available to the Police Information Technology Organisation may be passed on to constables. They also provide for such information to be further disclosed to civilian employees of police authorities to facilitate the use of the information by constables.

(a) 1997 c. 43.

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