



# Road Traffic Act 1972

## 1972 CHAPTER 20

### PART III

#### LICENSING OF DRIVERS OF VEHICLES

##### *Supplementary*

#### **106 Conduct of proceedings in certain courts by or against the Secretary of State**

- (1) Any proceedings by or against the Secretary of State in a magistrates' court or before the registrar of a county court under this Part of this Act may be conducted on behalf of the Secretary of State by a person authorised by him for the purposes of this subsection.
- (2) Any proceedings in any court in Scotland, other than the High Court of Justiciary or the Court of Session, against the Secretary of State under this Part of this Act may be conducted on behalf of the Secretary of State by any person authorised by him for the purposes of this subsection.

#### **107 Regulations for purposes of Part III**

- (1) The Secretary of State may make regulations for any purpose for which regulations may be made under this Part of this Act and for prescribing anything which may be prescribed under this Part of this Act, and otherwise for the purpose of carrying section 4 or this Part of this Act into effect, and in particular, but without prejudice to the generality of the foregoing provisions, may make regulations with respect to—
  - (a) licences,
  - (b) the making of any particulars with respect to any persons who are disqualified or whose licences are suspended or endorsed available for use by the police,
  - (c) the preventing of a person holding more than one licence,
  - (d) the facilitating of identification of holders of licences, and
  - (e) the providing for the issue of a new licence in the place of a licence lost or defaced on payment of such fee as may be prescribed;

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and different regulations may be made as respects different classes of vehicles or as respects the same class of vehicles in different circumstances.

- (2) Regulations made by the Secretary of State under this Part of this Act may—
- (a) make different provision for different circumstances ;
  - (b) provide for exemptions from any provisions of the regulations; and
  - (c) contain such incidental and supplemental provisions as the Secretary of State considers expedient for the purposes of the regulations;
- and nothing in any other provision of section 4 or this Part of this Act shall be construed as prejudicing the generality of the foregoing provisions of this subsection.
- (3) Any fee prescribed under this Part of this Act shall be of an amount approved by the Treasury, and different fees may be prescribed for different circumstances.

### **108 Destination of fees for licences, etc., under Part III**

- (1) All fees received by the Secretary of State for licences under this Part of this Act shall be paid into the Consolidated Fund.
- (2) Fees in respect of tests of competence to drive payable by virtue of regulations having effect by virtue of section 85(2) of this Act shall be paid to such person as may be prescribed by the regulations, and any such fees received by a person so prescribed (other than any as to which the regulations provide that they are to be paid to the person conducting the test and retained by him as remuneration) shall be paid into the Consolidated Fund.

### **109 Service of notices**

A notice authorised to be served on any person by section 87, 89(2) or 104(5) of this Act may be served on him by delivering it to him or by leaving it at his proper address or by sending it to him by post; and for the purposes of this section and section 26 of the Interpretation Act 1889 in its application to this section the proper address of any person shall be his latest address as known to the person serving the notice.

### **110 Interpretation of Part III**

In this Part of this Act and section 4 thereof, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say,—

" disqualified " means disqualified for holding or obtaining a licence, and " disqualification " shall be construed accordingly;

" licence " means a licence to drive a motor vehicle granted under this Part of this Act;

" offence involving obligatory disqualification " has the meaning given to it by section 93(1) of this Act;

" offence involving discretionary disqualification " has the meaning given to it by section 93(2) of this Act; " prescribed " means prescribed by regulations ;

" provisional licence " means a licence granted by virtue of section 88(2) of this Act;

" regulations " means regulations made under section 107 of this Act;

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" test of competence to drive " means such a test conducted under section 85 of this Act;

## **111 Provisions as to Northern Ireland drivers' licences**

- (1) If the Secretary of State certifies that satisfactory provision is made by the law of Northern Ireland for the granting of licences to drive motor vehicles, it shall be lawful for the holder of such a licence to drive and be employed in driving in Great Britain a motor vehicle of any class which he is authorised by that licence to drive, and which he is not disqualified from driving under this Part of this Act, notwithstanding that he is not the holder of a licence under this Part of this Act:

Provided that any such driver shall be under the like obligation to produce such a licence as if it had been a licence granted under this Part of this Act, and the provisions of this Act as to the production of licences granted thereunder shall apply accordingly.

- (2) The holder of any such licence who by an order of the court is disqualified for holding or obtaining a licence under this Part of this Act shall produce the licence so held by him to the court within such time as the court may determine, and the court shall, on production of the licence, forward it to the Secretary of State; and if the holder fails to produce the licence within such time as aforesaid, he shall be guilty of an offence.
- (3) If the holder of any such licence is convicted of an offence and the court orders particulars of the conviction to be endorsed in accordance with section 101 of this Act, the court shall send those particulars to the Secretary of State.