



Road Traffic Act 1972

1972 CHAPTER 20

PART III

LICENSING OF DRIVERS OF VEHICLES

Disqualification and endorsement of licences

93 Disqualification on conviction of certain offences

(1) Where a person is convicted of an offence—

- (a) under a provision of this Act specified in column 1 of Part I of Schedule 4 to this Act in relation to which there appears in column 5 of that Part the word " obligatory " or the word " obligatory " qualified by conditions or circumstances relating to the offence ; and
- (b) where the said word " obligatory " is so qualified, the conditions or circumstances are satisfied or obtain in the case of the offence of which he is convicted;

or where a person is convicted of the offence specified in Part II of that Schedule (any such offence being in this Part of this Act referred to as an " offence involving obligatory disqualification ") the court shall order him to be disqualified for such period not less than twelve months as the court thinks fit unless the court for special reasons thinks fit to order him to be disqualified for a shorter period or not to order him to be disqualified.

(2) Where a person is convicted of an offence—

- (a) under a provision of this Act specified in column 1 of Part I of Schedule 4 to this Act in relation to which there appears in column 5 of that Part the word " discretionary " or the word " discretionary " qualified by conditions or circumstances relating to the offence ; and
- (b) where the said word " discretionary " is so qualified, the conditions or circumstances are satisfied or obtain in the case of the offence of which he is convicted;

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or where a person is convicted of an offence specified in Part III of that Schedule (any such offence being in this Part of this Act referred to as an " offence involving discretionary disqualification "), the court may order him to be disqualified for such period as the court thinks fit.

- (3) Where a person convicted of an offence involving obligatory or discretionary disqualification has within the three years immediately preceding the commission of the offence been convicted on not less than two occasions of any such offence and particulars of the convictions have been ordered to be endorsed in accordance with section 101 of this Act, the court shall order him to be disqualified for such period not less than six months as the court thinks fit, unless the court is satisfied, having regard to all the circumstances, that there are grounds for mitigating the normal consequences of the conviction and thinks fit to order him to be disqualified for a shorter period or not to order him to be disqualified.
- (4) Where a person convicted of an offence under any of the following provisions of this Act, namely section 5(1), 6(1) or 9(3) (where the latter is an offence involving obligatory disqualification), has within the ten years immediately preceding the commission of the offence been convicted of any such offence, subsection (1) above shall apply in relation to him with the substitution of three years for twelve months.
- (5) The period of any disqualification imposed under subsection (3) above shall be in addition to any other period of disqualification imposed (whether previously or on the same occasion) under this section or section 5 of the Road Traffic Act 1962 or under the Road Traffic Act 1960 or an enactment repealed by that Act or under the Motor Car Act 1903.
- (6) The foregoing provisions of this section shall apply in relation to a conviction of an offence committed by aiding, abetting, counselling or procuring, or inciting to the commission of an offence involving obligatory disqualification as if the offence were an offence involving discretionary disqualification.
- (7) Where a person is convicted of an offence involving obligatory or discretionary disqualification the court may, whether or not he has previously passed the test of competence to drive prescribed under this Act, and whether or not the court makes an order under the foregoing provisions of this section, order him to be disqualified 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 Secretary of State of evidence, in such form as may be prescribed by regulations under section 107 of this Act, that the person disqualified has, since the order was made, passed that test.