



Road Traffic Act 1988

1988 CHAPTER 52

PART VII

MISCELLANEOUS AND GENERAL

Application to the Crown

184 Application of sections 5 to 10 to persons subject to service discipline.

- (1) Sections 5 to 10 of this Act, in their application to [^{F1}persons subject to service law and civilians subject to service discipline], apply outside as well as within Great Britain and have effect as if—
- (a) references to proceedings for an offence under any enactment included references to proceedings for [^{F2}an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales is that offence],
 - (b) references to the court included a reference to any [^{F3}officer] before whom the proceedings take place,
 - (c) references to a constable included references to a member of the provost staff,
 - (d) references to a police station included references to a naval, military or air force unit or establishment,
 - (e) references to a hospital included references to a naval, military or air force unit or establishment at which medical or surgical treatment is provided for [^{F4}persons subject to service law or civilians subject to service discipline],^{F5} . . .
 - (f) [^{F6}in section 6 a reference to a traffic offence] included a reference to [^{F7}an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales is a traffic offence within the meaning of section 6].
- [^{F8}(g) in section 6E as it applies by virtue of paragraph (c) above, subsection (2) were omitted and the reference in subsection (1) to any place were to—
- (i) service living accommodation (as defined by section 96 of the Armed Forces Act 2006), or

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- (ii) premises occupied as a residence (alone or with other persons) by the person on whom the requirement is to be imposed or the person to be arrested.]

[^{F9}(2) A member of the provost staff may arrest [^{F10}without warrant a person who is subject to service law or is a civilian subject to service discipline] if he has reasonable cause to suspect that that person is or has been committing an offence under section 4.

(2A) The power conferred by subsection (2) is exercisable outside as well as within Great Britain.]

[^{F11}(3) In this section—

“civilian subject to service discipline” has the same meaning as in the Armed Forces Act 2006;

“corresponding offence under the law of England and Wales”, in relation to an offence under section 42 of that Act, has the meaning given by that section;

“member of the provost staff” means—

- (a) [^{F12}a service policeman (within the meaning given by section 375(1) of the Armed Forces Act 2006); or]
- (b) a person lawfully exercising authority on behalf of a provost officer (within the meaning of that Act);

“subject to service law” has the same meaning as in that Act.]

Textual Amendments

- F1** Words in s. 184(1) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(a\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F2** Words in s. 184(1)(a) substituted (28.3.2009 for certain purposes 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(b\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F3** Word in s. 184(1)(b) substituted (28.3.2009 for certain purposes 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(c\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F4** Words in s. 184(1)(e) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(d\)\(i\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F5** Word in s. 184(1)(e) repealed (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 16 para. 117\(2\)\(d\)\(ii\)](#), [Sch. 17](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F6** Words in s. 184(1)(f) substituted (30.3.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 107, 121, [Sch. 7 para. 6](#); S.I. 2004/827, [art. 3](#)
- F7** Words in s. 184(1)(f) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(e\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, [art. 4](#) (with transitional provisions in S.I. 2009/1059)
- F8** S. 184(1)(g) added (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, [Sch. 16 para. 117\(2\)\(f\)](#); S.I. 2009/812, [art. 3](#); S.I. 2009/1167, {art. 4 } (with transitional provisions in S.I. 2009/1059)
- F9** S. 184(2)(A) substituted (1.1.2006) for s. 184(2) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 111, 178, [Sch. 7 para. 59](#); S.I. 2005/3495, [art. 2\(1\)\(m\)](#) (subject to art. 2(2))

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- F10** Words in s. 184(2) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, **Sch. 16 para. 117(3)**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)
- F11** S. 184(3) substituted (28.3.2009 for certain purposes, 31.10.2009 in so far as it is not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378(1), 383, **Sch. 16 para. 117(4)**; S.I. 2009/812, **art. 3**; S.I. 2009/1167, **art. 4** (with transitional provisions in S.I. 2009/1059)
- F12** Words in s. 184(3) substituted (2.4.2012) by [Armed Forces Act 2011 \(c. 18\)](#), s. 32(3), **Sch. 4 para. 1**; S.I. 2012/669, art. 4(e)

Modifications etc. (not altering text)

- C1** S. 184(1) modified (24.4.2009 for certain purposes otherwise 31.10.2009) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(3), 205, **Sch. 1 para. 30**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 34A inserted by [2000 c. 37 Sch. 7 para. 6](#) (This amendment not applied to legislation.gov.uk. The amending provision has been repealed)
- s. 41(2)(m) inserted by [2006 c. 49 s. 18\(1\)\(a\)](#)
- s. 41(2)(ba) inserted by [2006 c. 49 s. 56\(3\)](#)
- s. 49(3A) inserted by [2006 c. 49 s. 48\(1\)](#)
- s. 55(1A)-(1C) inserted (temp.) by [S.I. 2019/648 reg. 2\(2\)\(a\)](#) (This amendment is temp. and expires at the end of a period of 2 years beginning with exit day)
- s. 55(2A) inserted (temp.) by [S.I. 2019/648 reg. 2\(2\)\(c\)](#) (This amendment is temp. and expires at the end of a period of 2 years beginning with exit day)
- s. 55(9) inserted (temp.) by [S.I. 2019/648 reg. 2\(2\)\(e\)](#) (This amendment is temp. and expires at the end of a period of 2 years beginning with exit day)
- s. 57(1ZA)(1ZB) inserted (temp.) by [S.I. 2019/648 reg. 2\(3\)\(a\)](#) (This amendment is temp. and expires at the end of a period of 2 years beginning with exit day)
- s. 58(8) inserted (temp.) by [S.I. 2019/648 reg. 2\(4\)\(c\)](#) (This amendment is temp. and expires at the end of a period of 2 years beginning with exit day)
- s. 66(7A) inserted by [2006 c. 49 s. 56\(5\)](#)
- s. 85(1) words inserted (temp.) by [S.I. 2019/648 reg. 2\(5\)\(b\)](#) (This amendment is temp. and expires at the end of a period of 2 years beginning with exit day)
- s. 85(1) words inserted (temp.) by [S.I. 2019/648 reg. 2\(5\)\(c\)](#) (This amendment is temp. and expires at the end of a period of 2 years beginning with exit day)
- s. 85(1) words omitted (temp.) by [S.I. 2019/648 reg. 2\(5\)\(a\)](#) (This amendment is temp. and expires at the end of a period of 2 years beginning with exit day)
- s. 85(1) words omitted (temp.) by [S.I. 2019/648 reg. 2\(5\)\(d\)](#) (This amendment is temp. and expires at the end of a period of 2 years beginning with exit day)
- s. 85(2) added by [1988 c. 54 Sch. 2 para. 17\(c\)](#)
- s. 97(1)(c)(ia) words repealed by [2006 c. 49 Sch. 3 para. 6\(2\)\(b\)Sch. 7\(4\)](#)
- s. 97(1)(d)(ii) words omitted by [S.I. 2018/1251 reg. 2\(4\)](#)
- s. 97(1ZA) inserted by [2006 c. 49 s. 38\(2\)](#)
- s. 108(1BA) inserted by [S.I. 2018/1251 reg. 2\(5\)\(c\)](#)
- s. 123123A substituted for s. 123 by [2006 c. 49 Sch. 6 para. 2](#)
- s. 123A(3) words inserted by [2009 c. 17 s. 1\(3\)](#)
- s. 124(3)-(5) inserted by [2009 c. 17 s. 3](#)
- s. 124(6) inserted by [2015 c. 20 Sch. 2 para. 2\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(3A)-(3D) inserted by [2015 c. 20 Sch. 2 para. 3\(2\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125(5A) inserted by [2015 c. 20 Sch. 2 para. 3\(3\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125A(5)-(7E) substituted for s. 125A(5)-(7) by [2006 c. 49 Sch. 6 para. 6\(3\)](#)
- s. 125ZA inserted by [2006 c. 49 Sch. 6 para. 5](#)
- s. 125ZA(2)(b) word omitted by [2015 c. 20 Sch. 2 para. 4\(2\)\(a\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)

- s. 125ZA(2)(d) and word inserted by [2015 c. 20 Sch. 2 para. 4\(2\)\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) word omitted by [2015 c. 20 Sch. 2 para. 4\(3\)\(c\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(c) words substituted by [2015 c. 20 Sch. 2 para. 4\(3\)\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ba)(bb) inserted by [2015 c. 20 Sch. 2 para. 4\(3\)\(a\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 125ZA(4)(ca) inserted by [2015 c. 20 Sch. 2 para. 4\(3\)\(d\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126(5) omitted by [2015 c. 20 Sch. 2 para. 6](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 126A inserted by [2016 c. 16 s. 1\(3\)](#)
- s. 126A omitted (cond.) by 2006 c. 49 Sch. 6 para. 8A (as inserted) by [2016 c. 16 s. 3\(3\)](#)
- s. 126A heading words inserted by [S.I. 2016/1089 reg. 3\(2\)](#)
- s. 126A(1) words inserted by [S.I. 2016/1089 reg. 3\(3\)\(a\)](#)
- s. 126A(1) words inserted by [S.I. 2016/1089 reg. 3\(3\)\(b\)](#)
- s. 128A inserted by [2006 c. 49 Sch. 6 para. 11](#)
- s. 128A(4) inserted by 2006 c. 49 Sch. 6 para. 11 (as inserted) by [2016 c. 16 s. 4\(4\)](#)
- s. 128B inserted by [2015 c. 20 Sch. 2 para. 9](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 128ZA inserted by [2009 c. 17 s. 1\(1\)](#)
- s. 128ZB inserted by [2009 c. 17 s. 2](#)
- s. 128AZA128AZB inserted by [2016 c. 16 s. 2\(2\)](#)
- s. 128AZA128AZB inserted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by [2016 c. 16 s. 4\(2\)](#)
- s. 128AZA128AZB substituted (cond.) by 2006 c. 49 Sch. 6 para. 10A (as inserted) by [2016 c. 16 s. 4\(2\)](#)
- s. 128AZA heading words inserted by [S.I. 2016/1089 reg. 4\(2\)\(a\)](#)
- s. 128AZA(1) words inserted by [S.I. 2016/1089 reg. 4\(2\)\(b\)](#)
- s. 128AZA(4) words inserted by [S.I. 2016/1089 reg. 4\(2\)\(c\)](#)
- s. 128AZB heading words inserted by [S.I. 2016/1089 reg. 4\(3\)\(a\)](#)
- s. 128AZB(1) words inserted by [S.I. 2016/1089 reg. 4\(3\)\(b\)\(i\)](#)
- s. 128AZB(1) words inserted by [S.I. 2016/1089 reg. 4\(3\)\(b\)\(ii\)](#)
- s. 131(3)(b)(c) substituted for s. 131(3)(b) and word by [2006 c. 49 Sch. 6 para. 13\(4\)](#)
- s. 131(6) inserted by [2016 c. 16 s. 2\(4\)](#)
- s. 131(6) inserted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by [2016 c. 16 s. 4\(5\)](#)
- s. 131(6) substituted by 2006 c. 49 Sch. 6 para. 13(9) (as inserted) by [2016 c. 16 s. 4\(5\)](#)
- s. 132-133ZA and cross-heading substituted for ss. 132, 133 and cross-heading by [2006 c. 49 Sch. 6 para. 14](#)
- s. 133(2)(a) words omitted by [2015 c. 20 Sch. 2 para. 10\(a\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133(2)(b) words omitted by [2015 c. 20 Sch. 2 para. 10\(b\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)
- s. 133D(1A) inserted by [2015 c. 20 Sch. 2 para. 14\(2\)](#) (This amendment is to Part 5 of the Road Traffic Act 1988 as amended by Schedule 6 to the Road Safety Act 2006. Those amendments have not yet come into force)

- s. 140(1)(2) inserted by [2006 c. 49 Sch. 6 para. 23\(2\)](#)
- s. 140(3) s. 140 renumbered as s. 140(3) by [2006 c. 49 Sch. 6 para. 23\(1\)](#)
- s. 141A(5) words repealed by [2006 c. 49 Sch. 3 para. 24](#)[Sch. 7\(4\)](#)
- s. 173(2)(g)-(gb) substituted for s. 173(2)(g) by [2006 c. 49 Sch. 6 para. 27](#)
- s. 173(2)(n) and word inserted by [2006 c. 49 s. 37\(8\)](#)
- s. 174(1)(da) inserted by [2006 c. 49 Sch. 6 para. 28](#)
- s. 183(6A) inserted by [2006 c. 49 Sch. 6 para. 29](#)