

Status: Point in time view as at 24/07/2002.

Changes to legislation: Criminal Procedure and Investigations Act 1996, Cross Heading: Road Traffic Offenders Act 1988 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

COMMITTAL PROCEEDINGS

PART II

OTHER PROVISIONS

Road Traffic Offenders Act 1988

35 In section 11 of the ^{M1}Road Traffic Offenders Act 1988 (evidence by certificate as to driver, user or owner) the following subsection shall be inserted after subsection (3)

“(3A) Where the proceedings mentioned in subsection (1) above are proceedings before a magistrates’ court inquiring into an offence as examining justices this section shall have effect with the omission of—

- (a) subsection (2), and
- (b) in subsection (3), paragraph (b) and the word “or” immediately preceding it.”

Marginal Citations

M1 1988 c. 53.

36 In section 13 of the Road Traffic Offenders Act 1988 (admissibility of records as evidence) the following subsection shall be inserted after subsection (6)—

“(7) Where the proceedings mentioned in subsection (2) above are proceedings before a magistrates’ court inquiring into an offence as examining justices this section shall have effect as if—

- (a) in subsection (2) the words “to the same extent as oral evidence of that fact is admissible in those proceedings” were omitted;
- (b) in subsection (4) the word “and” were inserted at the end of paragraph (a);
- (c) in subsection (4), paragraphs (c) and (d) and the words “as if the accused had appeared and admitted it” were omitted.”

37 In section 16 of the Road Traffic Offenders Act 1988 (specimens) the following subsection shall be inserted after subsection (6)—

“(6A) Where the proceedings mentioned in section 15(1) of this Act are proceedings before a magistrates’ court inquiring into an offence as examining justices this section shall have effect with the omission of subsection (4).”

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38 In section 20 of the Road Traffic Offenders Act 1988 (speeding etc.) the following subsection shall be inserted after subsection (8)—

“(8A) Where the proceedings for an offence to which this section applies are proceedings before a magistrates’ court inquiring into an offence as examining justices this section shall have effect as if in subsection (8) the words from “and nothing” to the end of the subsection were omitted.”

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