

**Changes to legislation:** Crime (International Co-operation) Act 2003, Cross Heading: The Road Traffic Act 1988 (c. 52) is up to date with all changes known to be in force on or before 03 October 2023. 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) View outstanding changes

## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Road Traffic Act 1988 (c. 52)*

17 The Road Traffic Act 1988 is amended as follows.

#### Commencement Information

**I1** Sch. 5 para. 17 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 18 In section 88 (exceptions to offence under section 87)—
- (a) in subsection (1A)(b)(ii), for “section 4(1) of or paragraph 6(1) or 9(1)” there is substituted “section 4 of or paragraph 6 or 9”,
  - (b) in subsection (1B)(a), after “Road Traffic Acts” there is inserted “or Chapter 1 of Part 3 of the Crime (International Co-operation) Act 2003”.

#### Commencement Information

**I2** Sch. 5 para. 18(a) in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

**I3** Sch. 5 para. 18(b) in force at 28.1.2010 by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(c\)](#)

- 19 In section 92 (requirements as to physical fitness of drivers), in subsection (7D), after “99D” there is inserted “or 109C”.

#### Commencement Information

**I4** Sch. 5 para. 19 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 20 In section 94A (driving after refusal or revocation of licence), in subsection (1)—
- (a) in paragraph (a)(ii), for “section 93(1) or (2)” there is substituted “section 93”,
  - (b) in paragraph (a)(iii)—
    - (i) after “section 99C(1) or (2)” there is inserted “or 109B”,
    - (ii) after “Community licence” there is inserted “or Northern Ireland licence”,
  - (c) in paragraph (b)(ii), at the end there is inserted “or Northern Ireland licence”.

#### Commencement Information

**I5** Sch. 5 para. 20 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

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- 21 In section 97 (grant of licences), in subsection (1)(d), for “section 4(1) of or paragraph 6(1) or 9(1)” there is substituted “ section 4 of or paragraph 6 or 9 ”.

**Commencement Information**

**I6** Sch. 5 para. 21 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 22 In section 100 (appeals relating to licences), in subsection (1)—  
 (a) in paragraph (c), after “99(3)” there is inserted “ or (3A) ”,  
 (b) for “or 99C” there is substituted “ , 99C or 109B ”.

**Commencement Information**

**I7** Sch. 5 para. 22 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 23 In section 105 (regulations)—  
 (a) in subsection (2)—  
     (i) in paragraph (a), after “this Act,” there is inserted “ Northern Ireland licences, ”,  
     <sup>F1</sup>(ii) .....  
     <sup>F1</sup>(iii) .....  
     (iv) in paragraph (f), before “Community licences” there is inserted “ Northern Ireland licences or ”,  
<sup>F1</sup>(b) .....

**Textual Amendments**

**F1** Sch. 5 para. 23(a)(ii)(iii)(b) repealed (8.6.2015) by [Road Safety Act 2006 \(c. 49\)](#), s. 61(1)(10), [Sch. 7\(4\)](#); [S.I. 2015/560](#), [art. 3\(b\)](#) (with [arts. 4-9](#))

**Commencement Information**

**I8** Sch. 5 para. 23 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 24 In section 107 (service of notices), for “99B or 99E” there is substituted “ 99B, 99E or 109A ”.

**Commencement Information**

**I9** Sch. 5 para. 24 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 25 In section 108 (interpretation), in subsection (1)—  
<sup>F2</sup>(a) .....  
 (b) in the definition of “Northern Ireland driving licence” and “Northern Ireland licence”, at the end there is inserted “ and “Northern Ireland counterpart” means the document issued with the Northern Ireland licence as a counterpart under the law of Northern Ireland ”.

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#### Textual Amendments

- F2** Sch. 5 para. 25(a) repealed (8.6.2015) by [Road Safety Act 2006 \(c. 49\)](#), s. 61(1)(10), [Sch. 7\(4\)](#); [S.I. 2015/560](#), [art. 3\(b\)](#) (with [arts. 4-9](#))

#### Commencement Information

- I10** Sch. 5 para. 25 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 26 In section 109 (provisions as to Northern Ireland drivers' licences)—
- (a) in subsection (1), after “Great Britain,” there is inserted “ in accordance with that licence, ”,
  - F3**(b) .....
  - (c) subsections (3) to (5) are omitted.

#### Textual Amendments

- F3** Sch. 5 para. 26(b) repealed (8.6.2015) by [Road Safety Act 2006 \(c. 49\)](#), s. 61(1)(10), [Sch. 7\(4\)](#); [S.I. 2015/560](#), [art. 3\(b\)](#) (with [arts. 4-9](#))

#### Commencement Information

- I11** Sch. 5 para. 26 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 27 In section 164 (power of constables to require production of driving licence etc.)—
- (a) in subsection (3)—
    - (i) in paragraph (a), before “the Secretary of State” there is inserted “ a person is required to deliver his licence and its counterpart to the Secretary of State under section 63 of the Crime (International Co-operation) Act 2003 or ”,
    - (ii) in paragraph (a)(iii), after “99C” there is inserted “ , 109B ”,
    - (iii) in paragraph (b), after “99C” there is inserted “ , 109B ” and after “or 118” there is inserted “ or section 63 of the Crime (International Co-operation) Act 2003 ”,
  - (b) in subsection (11)—
    - (i) in the definition of “licence”, after “this Act” there is inserted “ , a Northern Ireland licence ”,
    - (ii) after “ “counterpart”, ” there is inserted “ “Northern Ireland licence”, ”.

#### Commencement Information

- I12** Sch. 5 para. 27(a)(i) in force at 28.1.2010 by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(c\)](#)  
**I13** Sch. 5 para. 27(a)(ii) in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)  
**I14** Sch. 5 para. 27(a)(iii) in force at 11.10.2004 for specified purposes by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)  
**I15** Sch. 5 para. 27(a)(iii) in force at 28.1.2010 in so far as not already in force by [S.I. 2008/3009](#), [art. 2\(1\)\(2\)\(c\)](#)  
**I16** Sch. 5 para. 27(b) in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- F4**28 .....

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**Textual Amendments**

**F4** Sch. 5 para. 28 repealed (8.6.2015) by [Road Safety Act 2006 \(c. 49\)](#), s. 61(1)(10), **Sch. 7(4)**; [S.I. 2015/560](#), art. 3(b) (with arts. 4-9)

**F5**29 . . . . .

**Textual Amendments**

**F5** Sch. 5 para. 29 repealed (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 1** Table 1

**F6**30 . . . . .

**Textual Amendments**

**F6** Sch. 5 para. 30 repealed (8.6.2015) by [The Road Safety Act 2006 \(Consequential Amendments\) Order 2015 \(S.I. 2015/583\)](#), art. 1(1), **Sch. 1** Table 1

31 In section 193A (tramcars and trolley vehicles), in subsection (2)(b), for “91A,” there is substituted “91ZA to”.

**Commencement Information**

**I17** Sch. 5 para. 31 in force at 11.10.2004 by [S.I. 2004/2624](#), **art. 2(1)(2)(b)**

**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. 4A4B inserted by [2003 c. 44 Sch. 36 para. 16](#)