



# Police, Crime, Sentencing and Courts Act 2022

## 2022 CHAPTER 32

### PART 7

#### SENTENCING AND RELEASE

### CHAPTER 1

#### CUSTODIAL SENTENCES

*Driving disqualification: extension in connection with custodial sentence*

**143 Increase in driving disqualification periods under certain existing orders:  
Scotland**

- (1) Subsection (2) applies where—
- (a) a driving disqualification order was made in accordance with an extended disqualification provision,
  - (b) the sentence of imprisonment as a result of which the extended disqualification provision applied was imposed before the day on which section 142 came into force,
  - (c) section 1AB of the Prisoners and Criminal Proceedings (Scotland) Act 1993 applies to the offender in respect of the sentence (the offender, in particular, not having been released in respect of the sentence), and
  - (d) the appropriate extension period for the purposes of the order would have been longer had the sentence been imposed on the day on which section 142 came into force.
- (2) The order has effect, on and after the day on which section 142 comes into force, as if the period of disqualification included an appropriate extension period of such length as it would have included had the sentence of imprisonment been imposed on that day.

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*Status: This is the original version (as it was originally enacted).*

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(3) In this section—

“driving disqualification order” means an order under—

- (a) section 34 or 35 of the Road Traffic Offenders Act 1988 (“the 1988 Act”), or
- (b) section 248 or 248A of the Criminal Procedure (Scotland) Act 1995 (“the 1995 Act”);

“an extended disqualification provision” means—

- (a) section 35C of the 1988 Act (in the case of an order under section 34 or 35 of that Act), or
- (b) section 248D of the 1995 Act (in the case of an order under section 248 or 248A of the 1995 Act);

“appropriate extension period” and “sentence of imprisonment” are to be read in accordance with the extended disqualification provision concerned.