
STATUTORY INSTRUMENTS

1992 No. 1286

**The Road Traffic Act 1991 (Commencement
No 4 and Transitional Provisions) Order 1992**

PART II

TRANSITIONAL PROVISIONS

Penalties

6.—(1) The bringing into force by this Order of a provision of the 1991 Act which relates to the punishment of an offence by way of fine, imprisonment or forfeiture shall not affect the punishment of an offence committed before that provision comes into force.

(2) The bringing into force by this Order of a provision of the 1991 Act which relates to the number of penalty points to be attributed to an offence or taken into account on conviction for an offence, shall not affect the number of penalty points to be attributed to an offence or taken into account on conviction for an offence committed before that provision comes into force.

(3) Where a person is disqualified under section 34 of the RTOA 1988 for an offence committed before 1st July 1992, the disqualification shall be treated for the purposes of section 29 of that Act (penalty points to be taken into account on conviction) as if it were a disqualification under section 35 of that Act.

(4) Where a person is disqualified under section 34 or 36 of the RTOA 1988 for an offence committed before 1st July 1992, the disqualification shall be treated for the purposes of section 45(5) of that Act (effect of endorsement) as if it were a disqualification under section 35 of that Act.

(5) Without prejudice to paragraphs (1) to (4) above, where a person is, after 1st July 1992, convicted of an offence committed before that date—

- (a) sections 34 to 37 of the RTOA 1988 (disqualification);
- (b) Schedule 2 to that Act (penalties); and
- (c) section 44 of the Powers of Criminal Courts Act 1973(1) (disqualification where vehicle used for assault);

shall in relation to that offence apply as they were in force before that date.

(6) Section 39 of the 1991 Act (disqualification where a vehicle used in the commission of certain offences in Scotland) shall not have effect in relation to an offence committed before 1st July 1992.

(1) 1973 c. 62; section 44 was amended by paragraph 122 of Schedule 7 to the Magistrate's Courts Act 1980 (c. 43) and paragraph 11 of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c. 54).