
STATUTORY INSTRUMENTS

2010 No. 60

The Criminal Procedure Rules 2010

PART 55

ROAD TRAFFIC PENALTIES

Application to court for review of course provider's refusal to issue a certificate of satisfactory completion of driving course

55.3.—(1) An application to the supervising court or the relevant local court under section 34B(6) or (8) of the Road Traffic Offenders Act 1988(1) shall be served on the court officer within 28 days after the date specified in an order under section 34A(5) of the 1988 Act.

(2) An application under section 34B(6) of the 1988 Act shall be accompanied by the notice under section 34B(5) of the 1988 Act.

(3) Where such an application is served on the court officer—

(a) he shall fix a date and time for the hearing of the application; and

(b) he shall—

(i) serve a copy of the application on the course provider, and

(ii) serve notice of the hearing on the applicant and course provider.

(4) If the course provider fails to appear or be represented at the hearing of the application without reasonable excuse, the court may proceed to decide the application in his absence.

(5) In this rule, 'course provider', 'relevant local court' and 'supervising court' have the meanings assigned to them in England and Wales by section 34C of the 1988 Act.

(1) 1988 c. 53; section 34B was inserted by the Road Traffic Act 1991 (c. 40) and amended by paragraphs 140, 145 and 146 of Schedule 13 and Part V of Schedule 15 to, the Access to Justice Act 1999 (c. 22). Section 34B is substituted by provision in section 35 of the Road Safety Act 2006 (c. 49), with effect from a date to be appointed.