
STATUTORY INSTRUMENTS

2023 No. 209

**The Armed Forces (Driving
Disqualification Orders) Regulations 2023**

PART 2

AMENDMENT OF SERVICE COURT RULES

CHAPTER 2

Amendment of the Armed Forces (Court Martial) Rules 2009

Ancillary Proceedings

17. After rule 151A (certification of failure to comply with production order), insert—

“Chapter 3

Driving Disqualification Orders

Application to remove a disqualification

151B.—(1) This rule applies where under regulation 8 of the Armed Forces (Driving Disqualification Orders) Regulations 2023 (the “Driving Disqualification Order Regulations”), on application by the offender, the court can remove a driving disqualification order.

(2) An offender who wants the court to exercise that power must—

- (a) apply in writing, no earlier than the date prescribed by regulation 8(4) of the Driving Disqualification Order Regulations,
- (b) serve the application on the court administration officer,
- (c) in the application set out—
 - (i) the date on which the driving disqualification order was made and the disqualification period,
 - (ii) the offence for which it was imposed, and
 - (iii) the reasons the offender seeks removal of the driving disqualification order.

(3) The court administration officer must serve a copy of the application on the Director.

(4) A hearing must be held to determine the application.

Information to be supplied on order for disqualification, etc.

151C.—(1) This rule applies where the court—

- (a) disqualifies the offender from driving, or
- (b) suspends or removes a driving disqualification order.

- (2) The court administration officer must, as soon as reasonably practicable, serve on the Secretary of State notice that includes details of—
- (a) where paragraph (1)(a) applies—
 - (i) the date on which the driving disqualification order was made and the disqualification period;
 - (ii) the power exercised by the court;
 - (b) where paragraph (1)(b) applies—
 - (i) the date on which the driving disqualification order was made and the disqualification period;
 - (ii) the date and terms of the order for its suspension or removal;
 - (iii) the power exercised by the court;
 - (iv) where the court suspends the disqualification pending appeal, the court to which the offender has appealed.”