STATUTORY INSTRUMENTS

1970 No. 1004 (L.21)

MAGISTRATES' COURTS

PROCEDURE

The Magistrates' Courts (Amendment) Rules 1970

Made - - -	*2nd July* 1970
Laid before Parliament	*14th July* 1970
Coming into Operation	*15th July* 1970

The Lord Chancellor, in exercise of the power conferred on him by section 15 of the Justices of the Peace Act 1949**(a)**, as extended by section 122 of the Magistrates' Courts Act 1952**(b)**, after consultation with the Rule Committee appointed under the said section 15, hereby makes the following Rules:—

1. These Rules may be cited as the Magistrates' Courts (Amendment) Rules 1970 and shall come into operation on 15th July 1970.

2. Rule 84 of the Magistrates' Courts Rules 1968**(c)**, as amended **(d)**, shall be amended as follows:—

(*a*) for paragraph (1) there shall be substituted the following paragraph:—

"(1) An application under section 106 of the Road Traffic Act 1960**(e)** or section 2 of the Road Traffic (Disqualification) Act 1970**(f)** for an order removing a disqualification or disqualifications for holding or obtaining a licence shall be by complaint.";

(*b*) in paragraph (3) for the words "under the said section 106" there shall be substituted the words "under either of the aforesaid sections".

Dated 2nd July 1970.

Hailsham of St. Marylebone, C.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

Section 2 of the Road Traffic (Disqualification) Act 1970 enables a person who is disqualified for driving by an order made before the commencement of the Act to apply for the disqualification to be removed if the disqualification resulted from a conviction for driving whilst disqualified and was additional to a previous disqualification. These Rules amend Rule 84 of the Magistrates' Courts Rules 1968 so as to provide that the procedure for the removal of such a disqualification shall be the same as that in respect of disqualification on other grounds.

(a) 1949 c. 101. **(b)** 1952 c. 55. **(c)** S.I. 1968/1920 (1968 III, p. 5175).
(d) The amending Rules are not relevant to the subject matter of these Rules.
(e) 1960 c. 16. **(f)** 1970 c. 23.

SI 1970/1004
ISBN 0-11-001004-3

