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STATUTORY INSTRUMENTS

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**2015 No. 560**

**The Road Safety Act 2006 (Commencement  
No. 11 and Transitional Provisions) Order 2015**

**PART 3**

Transitional Provisions

**Treatment of endorsements placed on counterparts prior to the Commencement Date**

6.—(1) Paragraphs (2) to (5) apply where prior to the Commencement Date endorsements were placed on a person's Counterpart (or in the case of a driving licence which came into force before 1st June 1990 on that driving licence).

(2) Those endorsements of particulars, penalty points or disqualifications on a person's Counterpart or driving licence that, in accordance with section 45(1) of the RTOA, remain effective immediately prior to the Commencement Date will be treated on or after the Commencement Date as endorsements entered on that person's driving record.

(3) Those endorsements treated as endorsements entered onto that person's driving record by operation of paragraph (2) will be removed from that person's driving record at the end of the period for which that endorsement remains effective, as determined by section 45A(2) of the RTOA.

(4) Driving licence suspensions endorsed on a person's Counterpart which remain effective immediately before the Commencement Date must be treated on or after the Commencement Date as suspensions endorsed onto that person's driving record.

(5) Where, prior to the Commencement Date, under section 36(10)(3) of the RTOA a person's Counterpart or driving licence was endorsed with the particulars of any test of competence passed after an Order for disqualification was made, that endorsement must be treated on or after the Commencement Date as if it was endorsed on the person's driving record pursuant to section 36(10A) of the RTOA.

(6) Where a person was issued with a Community counterpart prior to the Commencement Date paragraphs (1) to (5) are to apply as if references to a Counterpart were references to a Community counterpart and references to a driving licence are to a Community licence.

(7) Where a person was issued with a section 109A counterpart prior to the Commencement Date paragraphs (1) to (5) are to apply as if references to a Counterpart were references to a section 109A counterpart and references to a driving licence are to a Northern Ireland licence.

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- (1) Section 45 of the Road Traffic Offenders Act 1988 was amended by paragraph 25 of Schedule 3 to the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22), paragraph 99 of Schedule 4 to the Road Traffic Act 1991 (c. 40), sections 14 and 58 of, and paragraph 9 of Schedule 2 and paragraph 1 of Schedule 7 to the Road Safety Act 2006, paragraph 7 of Schedule 27 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) and by S.I. 1990/144.
- (2) Section 45A of the Road Traffic Offenders Act 1988 was inserted by paragraph 10 of Schedule 2 to the Road Safety Act 2006.
- (3) Section 36 of the Road Traffic Offenders Act 1988 (c. 53) was substituted by section 32 of the Road Traffic Act 1991 (c. 40); section 36(11) was subsequently amended by S.I. 1996/1974.