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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into operation on 2<sup>nd</sup> August 2010 the provisions of Part V of the Road Traffic (Northern Ireland) Order 2007 (“the Road Traffic Order”) specified in the Schedule which deal with driving instruction as outlined below.

Article 48 extends the registration requirement for Driving Instructors and states that evidence of registration should be displayed as required by regulation.

Article 49 makes it an offence for any person or operator to contravene any of the registration requirements.

Article 50 enables the Department of the Environment (the Department) to make regulations providing for exemptions from registration requirements, in particular, in relation to those training to be driving instructors.

Article 51 makes provision for the setting up of a new register of driving instructors.

Article 52 and Articles 55 to 58 deal with the registration process including the period for which registration is valid and applications for an extension of that period.

Articles 59 to 61 provide an appeals process from the decision of the Registrar.

Articles 62 and 63 deal with the requirements in relation to examinations.

Article 69 permits the Department to make regulations to alter the period when registration is terminated or extended, or when a further application to be registered may be entertained.

Article 70 permits regulations to prescribe the certificates or other items that may be displayed as evidence of registration.

Article 71 provides that where a person whose registration has been terminated fails to surrender his certificate or other item to the Registrar as required, he will be guilty of an offence.

Article 72 enables a constable or person authorised by the Department to seize certificates.

Article 73 provides that corporate bodies shall be liable for offences under Part V of the Road Traffic Order in the same way as individuals.

Article 74 clarifies for the purposes of serving notices that the address held on the registrar shall be treated as the person’s usual or last known place of abode.

Article 75 enables the Department to make regulations to prescribe the fees to be paid in connection with registration and the repayment of fees.

Article 77 deals with the application of Part V of the Road Traffic Order to the Crown.

Article 78 provides for offences and penalties arising under Part V of the Road Traffic Order as set out in Schedule 6 to be added to Part I of Schedule 1 to the Road Traffic Offenders (Northern Ireland) Order 1996.

**Changes to legislation:**

There are currently no known outstanding effects for the The Road Traffic (2007 Order) (Commencement No. 5) Order (Northern Ireland) 2010.