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## STATUTORY INSTRUMENTS

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# 1995 No. 2994

## The Road Traffic (Northern Ireland) Order 1995

### PART II

#### Principal Road Safety Provisions

##### *Motor vehicles: drink and drugs*

#### Protection for hospital patients

**20.**—(1) While a person is at a hospital as a patient he shall not be required [<sup>F1</sup>to co-operate with a preliminary test], or to provide a specimen of blood or urine [<sup>F2</sup>under Article 18], unless the medical practitioner in immediate charge of his case has been notified of the proposal to make the requirement; and—

- (a) if the requirement is then made, [<sup>F3</sup>it shall be for co-operation with a test administered, or for the provision of a specimen, at the hospital], but
- (b) if the medical practitioner objects on the ground specified in paragraph (2), the requirement shall not be made.

[<sup>F4</sup>(1A) While a person is at a hospital as a patient, no specimen of blood shall be taken from him under Article 18A and he shall not be required to give his permission for a laboratory test of a specimen taken under that Article unless the medical practitioner in immediate charge of his case—

- (a) has been notified of the proposal to take the specimen or to make the requirement; and
  - (b) has not objected on the ground specified in paragraph (2).
- (2) The ground on which the medical practitioner may object is—
- (a) in a case falling within paragraph (1), that the requirement or the provision of the specimen or (if one is required) the warning required by Article 18(8) would be prejudicial to the proper care and treatment of the patient; and
  - (b) in a case falling within paragraph (1A), that the taking of the specimen, the requirement or the warning required by Article 18A(5) would be so prejudicial.]

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| <b>F1</b> | Words in art. 20(1) substituted (15.11.2007) by <a href="#">Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10))</a> , arts. 1(3), 86(1), <b>Sch. 7 para. 12(a)</b> ; S.R. 2007/454, <b>art. 2</b> , Sch.    |
| <b>F2</b> | Words in art. 20(1) substituted (16.7.2008) by <a href="#">Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1))</a> , arts. 1(4), <b>59(7)</b> ; S.R. 2008/293, <b>art. 2</b> , Sch.                     |
| <b>F3</b> | Words in art. 20(1)(a) substituted (15.11.2007) by <a href="#">Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10))</a> , arts. 1(3), 86(1), <b>Sch. 7 para. 12(b)</b> ; S.R. 2007/454, <b>art. 2</b> , Sch. |
| <b>F4</b> | 2005 NI 15   |

**Changes to legislation:**

The Road Traffic (Northern Ireland) Order 1995, Section 20 is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act amended by [1996 c. 25 s.79Sch.4 para.26](#)
- Act amended by [1996 c. 25 s.79Sch.4 para.26](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 13A inserted by [2016 c. 11 \(N.I.\) s. 2\(3\)](#)
- art. 17(8)(b)(v) and word added by [2008 c. 4 \(N.I.\) Sch. 2 para. 7\(b\)](#)
- art. 17D(1B) inserted by [2016 c. 11 \(N.I.\) s. 5\(2\)\(a\)](#)
- art. 17D(2)(aa) substituted for word by [2016 c. 11 \(N.I.\) s. 5\(2\)\(b\)](#)
- art. 17D(2A)(a) substituted for words by [2016 c. 11 \(N.I.\) s. 5\(2\)\(c\)\(i\)](#)
- art. 17D(2A)(b) inserted by [2016 c. 11 \(N.I.\) s. 5\(2\)\(c\)\(ii\)](#)
- art. 55(2)(m) inserted by [S.I. 2008/1216 \(N.I.\) art. 54\(1\)](#)
- art. 110(3A) inserted by [2016 c. 11 \(N.I.\) s. 22\(b\)](#)