
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 226 (C. 13)

ROAD TRAFFIC AND VEHICLES

The Road Traffic (2007 Order) (Commencement
No. 5) Order (Northern Ireland) 2010

Made - - - - 28th June 2010

The Department of the Environment makes the following Order in exercise of the powers conferred by Article 1(3) of the Road Traffic (Northern Ireland) Order 2007(1).

Citation and interpretation

1.—(1) This Order may be cited as the Road Traffic (2007 Order) (Commencement No. 5) Order (Northern Ireland) 2010.

(2) In this Order “the Order” means the Road Traffic (Northern Ireland) Order 2007.

Commencement Information

I1 Art. 1 in operation at made date

Appointed day

2. The day appointed for the coming into operation of the provisions of the Order listed in column 1 of the Schedule for the purposes of column 3 thereof shall be 2nd August 2010.

Commencement Information

I2 Art. 2 in operation at made date

Status: Point in time view as at 28/06/2010.

Changes to legislation: There are currently no known outstanding effects for the The Road Traffic (2007 Order) (Commencement No. 5) Order (Northern Ireland) 2010. (See end of Document for details)

Sealed with the Official Seal of the Department of the Environment on 28th June 2010.



Deirdre Kenny
A senior officer of the
Department of the Environment

SCHEDULE

Article 2

Provisions coming into operation on 2nd August 2010**Commencement Information****I3** Sch. in operation at made date

| <i>Provisions of the Order</i> | <i>Subject Matter</i> | <i>Purposes</i> |
|--------------------------------|--|---|
| Article 46 | Interpretation of this part | For all purposes |
| Article 47 | Expressions defined in this part | For all purposes |
| Article 48 | Requirement of registration | For all purposes |
| Article 49 | Paid driving instruction: offences | For all purposes |
| Article 50 | Exemption from prohibitions imposed by Article 48 | For all purposes |
| Article 51 | Register | For all purposes |
| Article 52 (1) to (5) | Conditions of registration | For all purposes |
| Article 55 (1) to (4) | Duration of registration | For all purposes |
| Article 56 | Extension of duration of registration | For all purposes other than those relating to the case of a disabled driving instructor |
| Article 57 | Termination of registration by Registrar | For all purposes other than those relating to the case of a disabled driving instructor |
| Article 58 | Power to give direction as to further applications | For all purposes |
| Article 59 | Appeals to the Department | |
| Article 60 | Appeals to court of summary jurisdiction | For all purposes |
| Article 61 | Regulations in respect of appeals | For all purposes |
| Article 62 | Examinations | For all purposes |
| Article 63 | Review of examinations etc. | For all purposes |
| Article 69 | Power to alter registration period | For all purposes |
| Article 70 | Evidence of registration | For all purposes |
| Article 71 | Surrender of certificates etc. | For all purposes |
| Article 72 | Production of certificates etc. to constables and authorised persons | For all purposes |
| Article 73 | Offences by corporations | For all purposes |
| Article 74 | Service of notices | For all purposes |

Status: Point in time view as at 28/06/2010.

Changes to legislation: There are currently no known outstanding effects for the The Road Traffic (2007 Order) (Commencement No. 5) Order (Northern Ireland) 2010. (See end of Document for details)

| <i>Provisions of the Order</i> | <i>Subject Matter</i> | <i>Purposes</i> |
|---|---|---|
| Article 75 | Fees | For all purposes |
| Article 76 | Regulations | For all purposes |
| Article 77 | Application to Crown | For all purposes |
| Schedule 6 insofar as it relates to the entries for Articles 49(1) and (2), 49(4), 70, 71 and 72 of the Road Traffic (Northern Ireland) Order 2007 and Article 78 insofar as it relates to those entries. | Entries to be inserted in Part 1 of Schedule 1 to the Offenders Order in respect of driving instruction | For all purposes |
| In Part 1 of Schedule 8 the entry relating to Part XII of the Road Traffic (Northern Ireland) Order 1981, insofar as it relates to— | Repeals | For all purposes other than those necessary for Article 135 |
| Articles 132 to 134 and | | |
| Articles 136 to 137A, | | |
| and Article 86(2) insofar as it relates to those repeals. | | |

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 2nd 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.

Status: Point in time view as at 28/06/2010.

Changes to legislation: There are currently no known outstanding effects for the The Road Traffic (2007 Order) (Commencement No. 5) Order (Northern Ireland) 2010. (See end of Document for details)

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.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Road Traffic (Northern Ireland) Order 2007 have been brought into operation by commencement order before the date of this Order.

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.R. No.</i> |
|--|-----------------------------|---------------------|
| Article 3(a) (insofar as it relates to the amendment of the punishment for commission of the offence of driving a motor vehicle in contravention of regulations requiring the wearing of seat belts), (b) and (c), Articles 4 to 9, Article 17, Article 26, Article 28, Article 43, Articles 82 to 85, Article 86(1) and Schedule 7 (partially), Article 86(2) and Schedule 8 (partially). | 27 th June 2007 | 2007 No. 302 (C.19) |

Status: Point in time view as at 28/06/2010.

Changes to legislation: There are currently no known outstanding effects for the The Road Traffic (2007 Order) (Commencement No. 5) Order (Northern Ireland) 2010. (See end of Document for details)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.R. No.</i> |
|---|--------------------------------|---------------------|
| Articles 14 and 15, Article 18(1) and (3), Articles 19 and 20, Article 27, Articles 29 to 35, Article 37, Articles 41 and 42, Article 44, Article 79, Article 86(1) and Schedule 7 (partially), Article 86(2) and Schedule 8 (partially). | 15 th November 2007 | 2007 No. 454 (C.30) |
| Article 81 | 26 th May 2008 | 2008 No. 223 (C.9) |
| Article 21 | 9 th June 2008 | 2008 No. 244 (C.13) |

Status:

Point in time view as at 28/06/2010.

Changes to legislation:

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