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SCHEDULES

SCHEDULE 10

Section 205(2).

SAVINGS AND TRANSITIONAL PROVISIONS

- 1 In so far as any order, regulation, rule, agreement, application, appointment, arrangement, declaration, determination, decision, nomination, request, specification or representation made or having effect as if made, authorisation or licence granted or having effect as if granted, approval, certificate, consent, designation, direction or notice issued, given or delivered or having effect as if issued, given or delivered, condition, prohibition or requirement imposed or attached or having effect as if imposed or attached, or other thing done or having effect as if done, under an enactment repealed by this Act could have been made, granted, issued, given, delivered, imposed, attached or done under a corresponding provision of this Act, it shall not be invalidated by the repeal effected by section 205(1) of this Act, but shall have effect as if made, granted, issued, given, delivered, imposed, attached or done under that corresponding provision.
- 2 Nothing in this Act shall affect the enactments repealed thereby in their operation in relation to offences committed before the commencement of this Act or to appeals against disqualifications by virtue of convictions for offences so committed or against orders made in consequence of such convictions.
- 3 Where any enactment or document refers, whether specifically or by means of a general description, to an enactment repealed by or reproduced in this Act or is to be construed as so referring, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.
- 4 (1) Without prejudice to paragraph 1 above, any reference in this Act (whether expressed or implied) to a thing done or made or falling to be done or made, or to a thing suffered, or to an event which has occurred, under or for the purposes of or by reference to a provision of this Act shall, in so far as the context permits, be construed as including a reference to the corresponding thing done or made or falling to be done or made, to the corresponding thing suffered or, as the case may be, to the corresponding event which occurred under, or for the purposes of, or by reference to, the corresponding provision of the enactments repealed by this Act.
(2) Sub-paragraph (1) above shall not apply to any reference in this Act to a conviction.
- 5 For the purpose of determining—
 - (a) the punishment (by fine, imprisonment or both) which may be imposed on a person in respect of the commission by him of an offence under any provision of this Act; or
 - (b) whether such an offence committed by a person involves obligatory disqualification for holding or obtaining a licence under Part III of this Act; or
 - (c) the length of the period for which a person is to be ordered to be disqualified for holding or obtaining a licence under the said Part III,

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an offence committed by that person under the corresponding enactment repealed by this Act or under an enactment repealed by the Road Traffic Act 1960 which by paragraph 5(1) of Schedule 19 to that Act is to be treated as having been committed under an enactment contained in that Act shall be deemed to have been committed under that provision ; and. in a case where such a determination depends upon whether that person has been previously convicted of an offence under any other provision of this Act. an offence committed by that person under an enactment so repealed which corresponds with an offence under that other provision of this Act shall be deemed to have been committed under that other provision.

For the purposes of this paragraph an offence under section 3(3) of the Road Safety Act 1967 shall be treated as corresponding with an offence under section 9(3) of this Act and where the punishment for an offence under section 5(1), 6(1) or 9(3) of this Act depends upon whether the circumstances mentioned in paragraph (i) or in paragraph (ii) of the entry relating to the last-mentioned offence in column 4 of Part I of Schedule 4 to this Act are shown, the reference to the circumstances mentioned in paragraph (i) shall include a reference to the circumstances mentioned in paragraph (a) of the said section 3(3) and the reference to the circumstances mentioned in paragraph (ii) shall include a reference to the circumstances mentioned in paragraph (b) of the said section 3(3).

- 6 Sections 95 and 99 of this Act shall apply to a person disqualified by an order of a court under the Motor Car Act 1903 for obtaining a licence under that Act as they apply to a person disqualified by an order of a court under Part III of this Act for holding or obtaining a licence under the said Part III.
- 7 (1) Without prejudice to section 95 of this Act, any person who by an order of a court made before 15th July 1970 was, in pursuance of section 5(5) of the Road Traffic Act 1962, disqualified for holding or obtaining a licence to drive a motor vehicle granted under Part II of the Road Traffic Act 1960 for an additional period in consequence of a conviction of an offence under section 110(b) of the said Act of 1960 may apply for the removal of the disqualification to the court by which the order was made or, if there are in force two or more such orders disqualifying him for an additional period, he may apply for the removal of the disqualification to the court which made the last of the orders to expire ; and on any such application the court may, as it thinks proper, either by order remove the disqualification or all or any of the disqualifications as from such date as may be specified in the order or refuse the application.
- (2) If under this paragraph a court orders a disqualification to be removed, the court shall cause particulars of the order to be endorsed on any licence to drive a motor vehicle granted to the applicant under Part II of the Road Traffic Act 1960, and the court shall, in any case, have power to order the applicant to pay the whole or any part of the costs of the application.
- 8 A licence to drive a motor vehicle which was in force by virtue of section 101 or 102 of the Road Traffic Act 1960 immediately before 1st June 1970 shall have effect thereafter as if duly granted in pursuance of section 101 of that Act as then replaced by section 14(1) of the Vehicle and Driving Licences Act 1969 on the day on which it was actually granted.
- 9 Any record kept under an enactment repealed by this Act shall be deemed to form part of the record kept under the corresponding provision of this Act.
- 10 Section 249 of the Road Traffic Act 1960 (general provision as to inquiries) shall apply in relation to an inquiry proceeding at the commencement of this Act, being

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an inquiry ordered under any provision of an enactment repealed by this Act, as it would have applied if this Act had not passed.

- 11 Nothing in section 154 or 155 of this Act or in the revocation by section 205 thereof of the last two orders specified in Part II of Schedule 9 to this Act shall be taken to increase the amount which any person is or becomes liable to pay in respect of an accident which occurred on or before 1st January 1969 (the date on which Correction An error appears in the first impression (April 1972) of this Act and the following correction has been incorporated into this reprint. Pages ii to ix inclusive, heading for "clause" read "section".