

Status: Point in time view as at 08/06/2015.

Changes to legislation: There are currently no known outstanding effects for the Road Traffic (New Drivers) Act 1995, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 1

NEWLY QUALIFIED DRIVERS HOLDING TEST CERTIFICATES

PART II

DUTY TO PROVIDE TEST CERTIFICATE

- 3 (1) Sub-paragraph (2) applies where—
- (a) a person to whom this Part of this Schedule applies is prosecuted for an offence involving obligatory endorsement; and
 - (b) the time at which the offence for which he is prosecuted is alleged to have occurred is a time during his probationary period.
- (2) Any obligations imposed on the person under section 7 of the ^{M1}Road Traffic Offenders Act 1988 as respects his licence ^{F1}... shall also apply as respects his test certificate.
- (3) If, in a case where sub-paragraph (2) applies—
- (a) the person is convicted in the proceedings in question of an offence involving obligatory endorsement, and
 - (b) he has not previously caused his test certificate to be delivered or posted it to the [^{F2}proper officer] of the court,
- he must produce his test certificate to the court.
- [^{F3}(3A) In sub-paragraph (3) “ proper officer ” means—
- (a) in relation to a magistrates’ court in England and Wales, the [^{F4}designated officer] for the court, and
 - (b) in relation to any other court, the clerk of the court.]
- (4) In a case where—
- (a) the licence of a person to whom this Part of this Schedule applies has ^{F5}... been sent to the [^{F6}appropriate person] under section 54(7) of the ^{M2}Road Traffic Offenders Act 1988 or delivered to the [^{F6}appropriate person] in response to a conditional offer issued under section 75 of that Act,
 - (b) the offence to which the fixed penalty notice or the conditional offer relates is one involving obligatory endorsement and occurring during his probationary period, and
 - (c) the person proposes to pay the fixed penalty to the [^{F7}appropriate person],
- the person must ensure that when the fixed penalty is paid his test certificate is sent to the [^{F8}appropriate person].

Status: Point in time view as at 08/06/2015.

Changes to legislation: There are currently no known outstanding effects for the Road Traffic (New Drivers) Act 1995, Part II. (See end of Document for details)

- (5) A person who without reasonable excuse fails to comply with sub-paragraph (3) or (4) is guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Textual Amendments

- F1** Words in Sch. 1 para. 3(2) repealed (8.6.2015) by Road Safety Act 2006 (c. 49), s. 61(1)(10), Sch. 3 para. 70(2)(a), **Sch. 7(4)**; S.I. 2015/560, art. 3 (with arts. 4-9)
- F2** Words in Sch. 1 para. 3(3)(b) substituted (1.4.2001) by 1999 c. 22, s. 90 **Sch. 13 para. 173** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)**
- F3** Sch. 1 para. 3(3A) inserted (1.4.2001) by 1999 c. 22, s. 90, **Sch. 13 para. 173** (with s. 107, Sch. 14 para. 7(2)); S.I. 2001/916, **art. 2(a)(ii)**
- F4** Words in Sch. 1 para. 3(3A) substituted (1.4.2005) by Courts Act 2003 (c. 39), s. 110(1), **Sch. 8 para. 365**; S.I. 2005/910, art. 3(y)
- F5** Words in Sch. 1 para. 3(4)(a) repealed (8.6.2015) by Road Safety Act 2006 (c. 49), s. 61(1)(10), Sch. 3 para. 70(2)(b), **Sch. 7(4)**; S.I. 2015/560, art. 3 (with arts. 4-9)
- F6** Words in Sch. 1 para. 3(4)(a) substituted (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 1 para. 27(3)(a)**; S.I. 2008/3164, art. 3(b)
- F7** Words in Sch. 1 para. 3(4)(b) substituted (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 1 para. 27(3)(b)**; S.I. 2008/3164, art. 3(b)
- F8** Words in Sch. 1 para. 3(4) substituted (31.3.2009) by Road Safety Act 2006 (c. 49), s. 61(1)(10), **Sch. 1 para. 27(3)(c)**; S.I. 2008/3164, art. 3(b)

Marginal Citations

- M1** 1988 c. 53.
M2 1988 c. 53.

Status:

Point in time view as at 08/06/2015.

Changes to legislation:

There are currently no known outstanding effects for the Road Traffic (New Drivers) Act 1995, Part II.