

*Status: Point in time view as at 01/04/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (New Drivers) Act 1995, SCHEDULE 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

Section 10(4).

#### CONSEQUENTIAL AMENDMENTS

##### *The Road Traffic Act 1988 (c.52)*

- 1 The Road Traffic Act 1988 shall be amended as follows.
- 2 (1) In the provisions mentioned in sub-paragraph (2) after “section 89 of this Act” insert “or section 4(1) of or paragraph 6(1) or 9(1) of Schedule 1 to the Road Traffic (New Drivers) Act 1995”.
- (2) The provisions are—
- (a) section 88(1A)(b)(ii) (meaning of “qualifying application” for purposes of exception to requirement that driver must have a licence);
  - (b) section 97(1)(d) (person to whom licence must be granted must be a person who is not prevented from obtaining it by section 89 of the Act).

##### *The Road Traffic Offenders Act 1988 (c.53)*

- 3 The Road Traffic Offenders Act 1988 shall be amended as follows.
- 4 In section 47 (supplementary provisions as to disqualifications and endorsements) after subsection (2) (cases where the court may or must send licence and its counterpart to the Secretary of State) insert—
- “(2A) Subsection (2) above is subject to section 2(2) of and paragraph 7(2) of Schedule 1 to the Road Traffic (New Drivers) Act 1995 (obligation of court to send licence and its counterpart to the Secretary of State).”
- 5 In section 57 (endorsement of licences without hearings) after subsection (6) insert—
- “(7) Subsections (3) and (4) above are subject to section 2(4)(a) of and paragraph 7(4)(a) of Schedule 1 to the Road Traffic (New Drivers) Act 1995; and the fixed penalty clerk need not comply with subsection (6) above in a case where he sends a person’s licence and its counterpart to the Secretary of State under section 2(4)(b) of or paragraph 7(4)(b) of Schedule 1 to that Act.”
- 6 In section 77 (endorsement where penalty paid) after subsection (9) insert—
- “(10) Subsection (1) above is subject to section 2(4)(a) of and paragraph 7(4)(a) of Schedule 1 to the Road Traffic (New Drivers) Act 1995; and the fixed penalty clerk need not send a notice falling within subsection (6)(a) above in a case where he sends a person’s licence and its counterpart to the Secretary of State under section 2(4)(b) of or paragraph 7(4)(b) of Schedule 1 to that Act.”

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- 7 In Schedule 1 (offences to which various sections of the Act apply), in paragraph 2 (offences to which section 6 applies) omit the word “and” immediately preceding paragraph (c) and after that paragraph insert “and
- (d) to an offence under paragraph 3(5) of Schedule 1 to the Road Traffic (New Drivers) Act 1995.”

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