

## SCHEDULES

### SCHEDULE 1

#### NEWLY QUALIFIED DRIVERS HOLDING TEST CERTIFICATES

#### PART III

#### NEWLY QUALIFIED DRIVER WITH PROVISIONAL LICENCE AND TEST CERTIFICATE

##### *Surrender of test certificate*

4.—(1) Where the circumstances mentioned in Article 4(1) exist with respect to a person to whom this Part applies, sub-paragraph (2) applies instead of Article 4(2).

(2) The court shall send to the Department—

- (a) a notice containing the particulars required to be endorsed on the counterpart of the person's licence in accordance with the order referred to in Article 4(1)(d); and
- (b) on its production to the court, the person's test certificate.

(3) Where—

- (a) the circumstances mentioned in Article 4(3)(a) to (d) and (f) exist with respect to a person to whom this Part applies;
  - (b) the fixed penalty clerk has received the person's test certificate in accordance with paragraph 3(4); and
  - (c) the test certificate shows the date on which the person became a qualified driver,
- sub-paragraph (4) applies instead of Article 4(4).

(4) The fixed penalty clerk shall send to the Department—

- (a) a notice containing the particulars endorsed on the counterpart of the person's licence; and
- (b) the person's test certificate.

##### *Revocation of test certificate*

5.—(1) Where the Department—

- (a) has received a notice sent to it under paragraph 4 of particulars required to be endorsed or endorsed on the counterpart of a person's licence; and
- (b) has received the person's test certificate sent to it under paragraph 4(2)(b) or (4)(b) or is satisfied that the person has been issued with a test certificate,

the Department shall by notice served on that person revoke the test certificate.

(2) A revocation under sub-paragraph (1) shall have effect from a date specified in the notice of revocation which shall not be earlier than the date of service of that notice.

*Status: This is the original version (as it was originally made).*

(3) The effect of the revocation of a person's test certificate is that any prescribed conditions to which his provisional licence ceased to be subject when he became a qualified driver shall again apply.

*Re-testing*

6.—(1) Subject to Part V, the Department shall not under Part II of the Order of 1981 grant a person whose test certificate has been revoked under paragraph 5(1) a full licence to drive any class of vehicles that, immediately before his test certificate was revoked, he was permitted to drive without observing prescribed conditions, unless he satisfies the Department that within the relevant period he has passed a relevant driving test.

(2) In this paragraph "relevant driving test" means, in relation to a person whose test certificate has been revoked, any test which—

- (a) falls within sub-paragraph (a) or (b) of Article 3(2); and
- (b) is a test of competence to drive any vehicle included in any class of vehicles that, immediately before his test certificate was revoked, he was permitted to drive without observing prescribed conditions.

(3) If the Department grants a full licence to a person who is required to pass a relevant driving test in order to be granted that licence, the licence granted shall (subject to Articles 9 and 70 to 79A of the Order of 1981) be one authorising that person to drive all the classes of vehicles that, immediately before his test certificate was revoked, he was permitted to drive without observing prescribed conditions.

(4) In sub-paragraph (1) "the relevant period" means the period beginning—

- (a) after the date of the revocation of the test certificate; and
- (b) not more than 2 years before the date on which the application for the full licence is made.