

SCHEDULES

SCHEDULE 2

EXISTING HEAVY GOODS VEHICLES AND PUBLIC SERVICE VEHICLES DRIVERS' LICENCES

PART II

TRANSITORY PROVISIONS

9.—(1) Notwithstanding Article 70 of the principal Order but subject to sub-paragraphs (2) and (3), a person may drive, or be employed to drive, a public service vehicle on a road without being the holder of a licence if—

- (a) he has made an application for the grant of a licence, and
- (b) he has passed the test of competence to drive.

(2) The authority conferred by sub-paragraph (1) shall extend only for the prescribed period.

(3) In the event of the applicant's being refused the grant of a licence, the authority conferred by sub-paragraph (1) shall cease to have effect as from the date on which he is notified of the refusal.

(4) A person who, for the purposes of an application for the grant of a licence, takes the test of competence to drive—

- (a) before the application is made, or
 - (b) within the prescribed period beginning with the date on which the application was made,
- is guilty of an offence and the test shall be of no effect.

(5) A person who, after the refusal of his application for a licence, takes a test of competence to drive arranged for the purposes of his application, is guilty of an offence and the test shall be of no effect.

(6) A person shall be liable on summary conviction of an offence under sub-paragraph (4) or (5) to a fine not exceeding level 3 on the standard scale.

(7) The Department may make regulations, subject to negative resolution, for prescribing anything which may be prescribed under this paragraph.

(8) In this paragraph—

“licence” means a licence under Article 70 of the principal Order to drive public service vehicles;

“test of competence to drive” means the test of competence to drive prescribed for the purposes of paragraph (5)(d) of that Article;

and, in the case of a licence limited to any class of public service vehicle, any reference to a test of competence to drive is a reference to a test of competence to drive that class of public service vehicle.