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## STATUTORY INSTRUMENTS

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# 1996 No. 1320

## The Road Traffic Offenders (Northern Ireland) Order 1996

### PART I

#### INTRODUCTORY

##### General interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“clerk of petty sessions” shall be construed in accordance with Article 2(4) of the Magistrates' Courts (Northern Ireland) Order 1981;

[<sup>F1</sup>“the Department” means the Department of the Environment;]

“disqualified” means disqualified for holding or obtaining a licence;

“licence” means a licence to drive a motor vehicle granted under Part II of the Order of 1981,<sup>F2</sup> . . .

“offence involving obligatory endorsement” has the meaning given in Article 3;

“offence involving obligatory disqualification” and “offence involving discretionary disqualification” have the meaning given in Article 4;

“the Order of 1981” means the Road Traffic (Northern Ireland) Order 1981;

“the Order of 1995” means the Road Traffic (Northern Ireland) Order 1995;

[<sup>F3</sup>“the Order of 2007” means the Road Traffic (Northern Ireland) Order 2007;]

“petty sessions district” has the same meaning as in the Magistrates' Courts (Northern Ireland) Order 1981;

“provisional licence” means a licence granted by virtue of Article 13(2) of the Order of 1981;

“the provisions connected with the licensing of drivers” means Articles 3, 4, 11, 12, 24, 27 to 31, 33, 35 to 38<sup>F2</sup> 40 to 53,<sup>F4</sup> 92ZA to] and 92B,];

“the Road Traffic Orders” means the Order of 1981, the Order of 1995<sup>F5</sup> this Order<sup>F6</sup> . . . the Road Traffic Regulation (Northern Ireland) Order 1997<sup>F7</sup><sup>F8</sup> . . . the Order of 2007<sup>F9</sup> and the Taxis Act (Northern Ireland) 2008];

“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954<sup>F2</sup> and “Community licence”, “counterpart”<sup>F4</sup> EEA State and Great Britain licence] have the same meanings as in Part II of the Order of 1981.].

(3) Except where it is otherwise provided or the context so requires, any expression for whose interpretation provision is made by Part I of the Order of 1995 is to be construed in accordance with that provision.

(4) In this Order—

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- (a) any reference to a licence and its counterpart shall, in relation to licences granted before 1st January 1991, be construed as a reference to a licence only, and
- (b) any reference to the counterpart of a licence shall, in relation to such licences, be construed as a reference to the licence itself.
- (5) Subject to any express exception, references in this Order to any Part of this Order include a reference to any Schedule to this Order so far as relating to that Part.

- F1** Art. 2(2): definition of "the Department" inserted (15.11.2007) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 86(1), **Sch. 7 para. 15(a)**; S.R. 2007/454, **art. 2**, Sch.
- F2** SR 1997/241
- F3** Art. 2(2): definition of "the Order of 2007" inserted (27.6.2007) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 86(1), **Sch. 7 para. 15(b)**; S.R. 2007/302, **art. 2**, Sch.
- F4** 2003 NI 16
- F5** 1997 NI 2
- F6** Word in art. 2(2) in definition of "the Road Traffic Orders" omitted (27.6.2007) by virtue of Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 86(1), **Sch. 7 para. 15(c)(i)**; S.R. 2007/302, **art. 2**, Sch.
- F7** Words in art. 2(2) in definition of "the Road Traffic Orders" inserted (27.6.2007) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 86(1), **Sch. 7 para. 15(c)(ii)**; S.R. 2007/302, **art. 2**, Sch.
- F8** Art. 2(2): word in the definition of "the Road Traffic Orders" omitted (23.11.2009) by virtue of Taxis Act (Northern Ireland) 2008 (c.4), ss. 58(1), 59, **Sch. 2 para. 11(a)**; S.R. 2009/352, **art. 2**, Sch.
- F9** Art. 2(2): words in the definition of "the Road Traffic Orders" added (23.11.2009) by Taxis Act (Northern Ireland) 2008 (c.4), ss. 58(1), 59, **Sch. 2 para. 11(b)**; S.R. 2009/352, **art. 2**, Sch.

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**Changes and effects yet to be applied to :**

- art. 2(2) word repealed by S.I. 2007/916 (N.I.) Sch. 5 para. 24(a)(ii)Sch. 8 Pt. 5
- art. 2(2) words inserted by 2016 c. 21 (N.I.) Sch. 2 para. 5(1)
- art. 2(2) words repealed by 2015 c. 9 (N.I.) Sch. 1 para. 109(1)Sch. 9 Pt. 1
- art. 2(2) words substituted by S.I. 2007/916 (N.I.) Sch. 5 para. 24(a)(i)
- art. 2(4) repealed by S.I. 2007/916 (N.I.) Sch. 5 para. 24(b)Sch. 8 Pt. 5

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Order transfer of functions by S.R. 2016/76 Sch. 5 Pt. 2
- Order transfer of functions by S.I. 2010/976 Sch. 17 para. 46

**Whole provisions yet to be inserted into this Order (including any effects on those provisions):**

- Pt. 4A inserted by S.I. 2007/916 (N.I.) art. 12(1)
- Pt. 4B inserted by 2022 c. 32 s. 89(2)
- s. 40A40B inserted by 2009 c. 25 Sch. 16 para. 4
- art. 15(1) power to apply conferred by S.I. 2007/916 (N.I.) Sch. 1 para. 8
- art. 15(1) power to apply conferred by SI 1981/154 (N.I. 1) Sch. 2A para. 7 (as inserted) by S.I. 2007/916 (N.I.) Sch. 3
- art. 23(2)(g) added by S.R. 2014/230 art. 2
- art. 35(1ZA)-(1ZC) inserted by 2016 c. 11 (N.I.) s. 12(2)
- art. 35(3A) inserted by 2016 c. 11 (N.I.) s. 13(2)
- art. 36(3A) inserted by 2009 c. 25 Sch. 21 para. 92(3)(d)
- art. 36(4A) inserted by 2016 c. 11 (N.I.) s. 14(2)
- art. 37(2A) inserted by 2009 c. 25 Sch. 21 para. 92(4)(c)
- art. 38A(5A) inserted by 2009 c. 25 Sch. 21 para. 92(5)(c)
- art. 38A(6A) inserted by 2009 c. 25 Sch. 21 para. 92(5)(e)
- art. 42(2A) inserted by 2009 c. 25 Sch. 21 para. 92(7)(c)
- art. 42(5) added by S.R. 2016/135 reg. 2(2)
- art. 47(3A) inserted by 2009 c. 25 Sch. 21 para. 92(8)(b)
- art. 47(3B) inserted by 2009 c. 25 Sch. 21 para. 92(8)(c)
- art. 52(2ZA) inserted by 2009 c. 25 Sch. 21 para. 92(9)(b)
- art. 54A inserted by 2016 c. 11 (N.I.) s. 15
- art. 59(2A) inserted by 2016 c. 11 (N.I.) s. 8(2)
- art. 59(4) added by 2016 c. 11 (N.I.) s. 8(3)
- art. 59A-59C inserted by 2016 c. 11 (N.I.) s. 9(1)
- art. 63A(7) added by 2016 c. 11 (N.I.) s. 11(1)(d)
- art. 64B inserted by 2016 c. 11 (N.I.) s. 8(5)
- art. 76(3A)(3B) inserted by 2016 c. 21 (N.I.) Sch. 2 para. 5(3)

**Commencement Orders yet to be applied to the The Road Traffic Offenders (Northern Ireland) Order 1996**

Commencement Orders bringing legislation that affects this Order into force:

- S.R. 2010/226 art. 2Sch. commences (S.I. 2007/916 (N.I.))
- S.R. 2010/370 art. 2Sch. commences (S.I. 2007/916 (N.I.))
- S.R. 2011/286 art. 2Sch. commences (S.I. 2007/916 (N.I.))
- S.R. 2012/16 art. 2 commences (S.I. 1996/1320 (N.I.))
- S.R. 2012/262 art. 2-6 commences (2010 c. 2 (N.I.))
- S.R. 2012/313 art. 2Sch. commences (2008 c. 4)
- S.R. 2014/238 art. 2Sch. commences (2008 c. 4 (N.I.))
- S.R. 2015/284 art. 2Sch. commences (2011 c. 11 (N.I.))
- S.R. 2015/389 art. 2(3)Sch. Pt. 3 commences (2008 c. 4 (N.I.))
- S.R. 2016/387 art. 2 commences (2015 c. 9 (N.I.))
- S.R. 2017/34 art. 2 commences (2010 c. 14 (N.I.))
- S.R. 2018/99 art. 2(a)-(c) commences (2016 c. 21 (N.I.))