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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 377**

**New Drivers (Appeals Procedure)  
Regulations (Northern Ireland) 1998**

**Licences granted pending appeal**

2.—(1) There is prescribed for the purposes of Article 7(1) of the Order (duration of licences granted without re-testing pending appeal) a period expiring on the date on which the revoked licence would have expired if it had not been revoked.

(2) Where the Department has—

- (a) revoked a person's test certificate under paragraph 5(1) of Schedule 1 to the Order or revoked a person's licence and test certificate under paragraph 8(1) of that Schedule, and
- (b) received notice that the person is making a relevant appeal,

it must, if that person surrenders to it any previous licence granted to him or provides an explanation for not surrendering it that the Department considers adequate, grant to that person a full licence in accordance with paragraph (3).

(3) A licence granted under paragraph (2) shall—

- (a) have effect for the purposes of the Road Traffic Orders as if it were a licence granted under Part II of the Order of 1981(1);
- (b) subject to Articles 9 and 70 to 79A of that Order, authorise the driving of all classes of vehicle which, immediately before his test certificate was revoked, the person was permitted to drive without observing the prescribed conditions; and
- (c) subject to paragraph (4), be for a period expiring on the date on which a licence granted under Part II of that Order would have expired.

(4) A licence granted under paragraph (2) shall be treated as if revoked if—

- (a) following the appeal, the penalty points taken into account for the purposes of Article 4(1) of the Order are not reduced to a number smaller than six; or
- (b) the appeal is abandoned.

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(1) Part II was substituted by S.I.1991/197 (N.I. 3), Schedule 1 and amended by S.I. 1995/2994 (N.I. 18), Schedule 3, Part I; and S.I. 1996/1320 (N.I. 10), Schedule 3, Part I