
DRAFT STATUTORY INSTRUMENTS

2007 No.

The Road Traffic (Northern Ireland) Order 2007

PART V

DRIVING INSTRUCTION

Disabled persons: emergency control certificates, etc.

Further assessments

66.—(1) A person who has undergone an emergency control assessment may not apply to undergo a further assessment until after the end of—

- (a) the period of 6 months beginning with the date of his most recent previous assessment; or
- (b) such other period as may be prescribed by regulations,

unless, by virtue of Article 53(8)(c) or paragraph (2), he is required by the Registrar to submit himself for a further assessment.

(2) A person who is not registered but who holds a current emergency control certificate shall, if at any time required to do so by the Registrar, submit himself for a further emergency control assessment on the day (within such period as may be prescribed by regulations) and at the place specified by the Registrar.

(3) In considering whether to exercise, in respect of any person, his power under paragraph (2), the Registrar shall have regard to any recommendation included in that person's current emergency control certificate as to the period after the end of which he should undergo a further emergency control assessment.

(4) A person who—

- (a) holds a current emergency control certificate; but
- (b) wishes to undergo a further emergency control assessment with a view to establishing his ability to control any class of motor vehicle not specified in his current certificate,

may, with the consent of the Registrar and subject to paragraph (1), apply to undergo a further assessment; but a person applying to undergo a further assessment under this paragraph shall not be required to make the declaration required by Article 65(3)(a).

(5) An application made under paragraph (4) for the consent of the Registrar shall be made in such manner and be accompanied by such particulars as the Registrar may require.

(6) If, as a result of undergoing a further emergency control assessment, a person is granted a fresh emergency control certificate the grant of that certificate shall, with effect from the date on which it is notified as taking effect, revoke the previous certificate.

(7) If, in the case of an emergency control assessment conducted in respect of a person who holds a current emergency control certificate, the assessor is not satisfied as to either of the matters specified in sub-paragraphs (a) and (b) of Article 65(7), he shall revoke the certificate.

(8) Where a person's emergency control certificate is revoked under paragraph (7) the assessor shall—

(a) serve notice in writing on him specifying—

(i) the grounds for the revocation; and

(ii) the date, not being earlier than the date of service of the notice, on which the revocation is to take effect; and

(b) send a copy of the notice to the Registrar.

(9) In this Article "assessor" has the same meaning as in Article 65.