SCHEDULES

SCHEDULE 4

TRANSITIONAL PROVISIONS AND SAVINGS

Licences, disqualification and endorsement

7 (1) For the purposes of section 92(4)(a) of the Road Traffic Act 1988, a person to whom a licence was granted after the making of a declaration under paragraph (c) of the proviso to section 5(2) of the [M1]Road Traffic Act 1930 (which contained transitional provisions with respect to certain disabilities) shall be treated as having passed, at the time of the declaration, a relevant test in respect of vehicles of the classes to which the licence related.

(2) The references in sections 125(3)(d), 127(3)(d), 128(2)(b) and 130(2)(b) of the [M2]Road Traffic Act 1988 to section 34 or 36 of the Road Traffic Offenders Act 1988 and to Part III of the Road Traffic Act 1988 include a reference—

(a) to section 93 of the [M3]Road Traffic Act 1972 and to Part III of that Act, and

(b) to section 5 of the [M4]Road Traffic Act 1962 and Part II of the [M5]Road Traffic Act 1960, (but not to section 104 of the 1960 Act).

(3) For the purposes of section 29 of the Road Traffic Offenders Act 1988, an order for endorsement which was made before the commencement of section 19 of the [M6]Transport Act 1981 counts as an order made in pursuance of section 44 of the Road Traffic Offenders Act 1988 for the endorsement of three penalty points, unless a disqualification was imposed on the offender on that or any subsequent occasion.

(4) For the purposes of section 2 of this Act as it has effect for the purposes of section 34(3) of the Road Traffic Offenders Act 1988—

(a) a previous conviction of an offence under section 6(1) of the Road Traffic Act 1972, as it had effect immediately before the substitution of a new section 6(1) by the Transport Act 1981, shall be treated as a conviction of an offence under section 5(1)(a) of the Road Traffic Act 1988, and

(b) a previous conviction of an offence under section 9(3) of the 1972 Act, as it had effect immediately before the substitution of a new section 8(7) by the 1981 Act, shall be treated as a conviction of an offence under section 7(6) of the Road Traffic Act 1988.

(5) The references in sections 36(4), 37(3) and 42(6) of the [M7]Road Traffic Offenders Act 1988 to an order under subsection (1) of section 36 include a reference to an order under section 93(7) of the [M8]Road Traffic Act 1972, section 5(7) of the [M9]Road Traffic Act 1962 or section 104(3) of the [M10]Road Traffic Act 1960.

(6) Where, in pursuance of section 93(5) of the Road Traffic Act 1972, a period of disqualification was imposed on an offender in addition to any other period or periods then, for the purpose of determining whether an application may be made under section 42 of the Road Traffic Offenders Act 1988 for the removal of either or

any of the disqualifications the periods shall be treated as one continuous period of disqualification.

Marginal Citations

M1 1930 c. 43.
M2 1988 c. 53.
M3 1972 c. 20.
M4 1962 c. 59.
M5 1960 c. 16.
M6 1981 c. 56.
M7 1988 c.53.
M8 1972 c. 20.
M9 1962 c. 59.
M10 1960 c. 16.

Changes to legislation:
There are currently no known outstanding effects for the Road Traffic (Consequential Provisions) Act 1988, Paragraph 7.