

## SCHEDULES

### SCHEDULE 1

#### EXISTING HGV AND PSV DRIVERS' LICENCES

##### PART I

##### EXISTING HGV AND PSV DRIVERS' LICENCES

###### *Disqualification on revocation of existing licences*

- 6 (1) Where in pursuance of paragraph 5(1)(a) above the Secretary of State revokes a person's existing licence, the Secretary of State must, in accordance with the regulations made for the purposes of that paragraph, order that person to be disqualified indefinitely or for the period determined in accordance with the regulations.
- (2) Where in pursuance of paragraph 5(1)(b) above the Secretary of State revokes an existing licence, he may—
- (a) order the holder to be disqualified indefinitely or for such period as the Secretary of State thinks fit, or
  - (b) except where the licence is a provisional licence, if it appears to the Secretary of State that, owing to the conduct or physical disability of the holder of the licence it is expedient to require him to comply with the prescribed conditions applicable to provisional licences under Part III of the 1988 Act until he passes the prescribed test of competence under that Part to drive large goods vehicles or passenger-carrying vehicles of any class, order him to be disqualified for holding or obtaining a full licence to drive until he passes such a test.
- (3) If, while the holder of an existing licence is disqualified under sub-paragraph (1) above, the circumstances prescribed for the purposes of paragraph 5(1)(a)(ii) above cease to exist in his case, the Secretary of State must, on an application made to him for the purpose, remove the disqualification.
- (4) Where the holder of an existing licence is disqualified under sub-paragraph (2)(a) above, the Secretary of State may, in such circumstances as may be prescribed, remove the disqualification.
- (5) Where the holder of an existing full licence is disqualified under sub-paragraph (2)(b) above, the Secretary of State must not afterwards grant him a full licence under Part III of the 1988 Act to drive large goods vehicles or passenger-carrying vehicles of any class unless satisfied that he has since the disqualification passed the prescribed test of competence under that Part to drive vehicles of that class, and until he passes that test any such full Part III licence obtained by him shall be of no effect.

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*Status: This is the original version (as it was originally enacted).*

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- (6) So long as the disqualification under sub-paragraph (1) or (2)(a) above of the holder of an existing licence continues in force, no licence under Part III of the 1988 Act to drive large goods vehicles or passenger-carrying vehicles (as the case may be) shall be granted to him and any such licence obtained by him shall be of no effect.
- (7) In this paragraph “disqualified”—
- (a) in a case of revocation on the ground of the conduct of the holder of the licence as a driver, means disqualified for holding or obtaining a licence under Part III of the 1988 Act to drive large goods vehicles of the prescribed classes and passenger-carrying vehicles of the prescribed classes; and
  - (b) in a case of revocation of a public service vehicle licence on the ground of the conduct of the holder otherwise than as a driver, means disqualified for holding or obtaining a licence under Part III of the 1988 Act to drive passenger-carrying vehicles of the prescribed classes.