

## SCHEDULES

### SCHEDULE 1

#### NEWLY QUALIFIED DRIVERS HOLDING TEST CERTIFICATES

##### PART III

#### NEWLY QUALIFIED DRIVER WITH PROVISIONAL LICENCE AND TEST CERTIFICATE

##### *Surrender of test certificate*

- 4 (1) Where the circumstances mentioned in section 2(1) exist with respect to a person to whom this Part of this Schedule applies, sub-paragraph (2) applies instead of section 2(2).
- (2) The court must send to the Secretary of State—
- (a) a notice containing the particulars required to be endorsed on the counterpart of the person's licence in accordance with the order referred to in section 2(1)(d); and
  - (b) on its production to the court, the person's test certificate.
- (3) Where—
- (a) the circumstances mentioned in section 2(3)(a) to (d) and (f) exist with respect to a person to whom this Part of this Schedule applies,
  - (b) the fixed penalty clerk has received the person's test certificate in accordance with paragraph 3(4), and
  - (c) the test certificate shows the date on which the person became a qualified driver,
- sub-paragraph (4) applies instead of section 2(4).
- (4) The fixed penalty clerk must send to the Secretary of State—
- (a) a notice containing the particulars endorsed on the counterpart of the person's licence; and
  - (b) the person's test certificate.

##### *Revocation of test certificate*

- 5 (1) Where the Secretary of State—
- (a) has received a notice sent to him under paragraph 4 of particulars required to be endorsed or endorsed on the counterpart of a person's licence, and
  - (b) has received the person's test certificate sent to him under paragraph 4(2)(b) or (4)(b) or is satisfied that the person has been issued with a test certificate,
- the Secretary of State must by notice served on that person revoke the test certificate.

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*Status: This is the original version (as it was originally enacted).*

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- (2) A revocation under sub-paragraph (1) shall have effect from a date specified in the notice of revocation which may not be earlier than the date of service of that notice.
- (3) The effect of the revocation of a person's test certificate is that any prescribed conditions to which his provisional licence ceased to be subject when he became a qualified driver shall again apply.

*Re-testing*

- 6 (1) Subject to Part V of this Schedule, the Secretary of State may not under Part III of the Road Traffic Act 1988 grant a person whose test certificate has been revoked under paragraph 5(1) a full licence to drive any class of vehicles that, immediately before his test certificate was revoked, he was permitted to drive without observing prescribed conditions, unless he satisfies the Secretary of State that within the relevant period he has passed a relevant driving test.
- (2) In this paragraph "relevant driving test" means, in relation to a person whose test certificate has been revoked, any test which—
  - (a) falls within paragraph (a) or (b) of section 1(2); and
  - (b) is a test of competence to drive any vehicle included in any class of vehicles that, immediately before his test certificate was revoked, he was permitted to drive without observing prescribed conditions.
- (3) If the Secretary of State grants a full licence to a person who is required to pass a relevant driving test in order to be granted that licence, the licence granted must (subject to section 92 and Part IV of the Road Traffic Act 1988) be one authorising that person to drive all the classes of vehicles that, immediately before his test certificate was revoked, he was permitted to drive without observing prescribed conditions.
- (4) In sub-paragraph (1) "the relevant period" means the period beginning—
  - (a) after the date of the revocation of the test certificate; and
  - (b) not more than two years before the date on which the application for the full licence is made.