

*Status: Point in time view as at 31/03/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic (New Drivers) Act 1995, Cross Heading: Surrender of licence and test certificate. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

#### NEWLY QUALIFIED DRIVERS HOLDING TEST CERTIFICATES

#### PART IV

##### NEWLY QUALIFIED DRIVER WITH FULL AND PROVISIONAL ENTITLEMENTS AND TEST CERTIFICATE

###### *Surrender of licence and test certificate*

- 7 (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);
  - (b) on their production to the court, the person's licence and its counterpart; and
  - (c) on its production to the court, the person's test certificate.
- (3) Where—
- (a) the circumstances mentioned in section 2(3) exist with respect to a person to whom this Part of this Schedule applies, and
  - (b) the <sup>F1</sup>appropriate person] has received the person's test certificate in accordance with paragraph 3(4),
- sub-paragraph (4) applies instead of section 2(4).
- (4) The <sup>F2</sup>appropriate person]—
- (a) may not return the person's licence and its counterpart under section 57(3) or (4) or 77(1) of the <sup>M1</sup>Road Traffic Offenders Act 1988; but
  - (b) <sup>F3</sup>[unless the appropriate person is the Secretary of State,] must send them and the person's test certificate to the Secretary of State.

#### Textual Amendments

- F1** Words in Sch. 1 para. 7(3)(b) substituted (31.3.2009) by [Road Safety Act 2006 \(c. 49\), s. 61\(1\)\(10\), Sch. 1 para. 27\(7\)\(a\)](#); [S.I. 2008/3164, art. 3\(b\)](#)
- F2** Words in Sch. 1 para. 7(4) substituted (31.3.2009) by [Road Safety Act 2006 \(c. 49\), s. 61\(1\)\(10\), Sch. 1 para. 27\(7\)\(b\)\(i\)](#); [S.I. 2008/3164, art. 3\(b\)](#)
- F3** Words in Sch. 1 para. 7(4)(b) inserted (31.3.2009) by [Road Safety Act 2006 \(c. 49\), s. 61\(1\)\(10\), Sch. 1 para. 27\(7\)\(b\)\(ii\)](#); [S.I. 2008/3164, art. 3\(b\)](#)

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**Marginal Citations**

**M1** 1988 c. 53.

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