

**Changes to legislation:** *Crime (International Co-operation) Act 2003, Cross Heading: The Road Traffic (New Drivers) Act 1995 (c. 13) is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULES

### SCHEDULE 5

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Road Traffic (New Drivers) Act 1995 (c. 13)*

45 The Road Traffic (New Drivers) Act 1995 is amended as follows.

**Commencement Information**

**I1** Sch. 5 para. 45 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

46 In section 2 (surrender of licences), at the end there is inserted—

“(6) In this section and section 3 “licence” includes a Northern Ireland licence.”

**Commencement Information**

**I2** Sch. 5 para. 46 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

47 In section 3 (revocation of licences)—

(a) after subsection (1) there is inserted—

“(1A) Where the Secretary of State serves on the holder of a Northern Ireland licence a notice under subsection (1), the Secretary of State must send to the licensing authority in Northern Ireland—

- (a) particulars of the notice; and
- (b) the Northern Ireland licence.

(1B) Where the Secretary of State is sent by that licensing authority particulars of a notice served on the holder of a licence under a provision of Northern Ireland law corresponding to subsection (1), he must by notice served on the holder revoke the licence.”

<sup>F1</sup>(b) .....

(c) at the end, there is inserted—

“(3) In this section references to the revocation of a person’s Northern Ireland licence are references to its revocation as respects Great Britain; and, accordingly, the person ceases to be authorised by virtue of section 109(1) of the Road Traffic Act 1988 to drive in Great Britain a motor vehicle of any class.”

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### Textual Amendments

- F1** Sch. 5 para. 47(b) repealed (31.3.2009) by [Road Safety Act 2006 \(c. 49\)](#), s. 61(1)(10), **Sch. 7(2)**; [S.I. 2008/3164](#), art. 3(d)

### Commencement Information

- I3** Sch. 5 para. 47 in force at 11.10.2004 by [S.I. 2004/2624](#), **art. 2(1)(2)(b)**

- 48 In section 4 (re-testing)—
- (a) in subsection (1)—
    - (i) for “section 3(1)” there is substituted “ section 3 ”,
    - (ii) after “full licence” (in the second place it occurs) there is inserted “ or (as the case may be) full Northern Ireland licence ”,
  - (b) after subsection (1) there is inserted—
 

“(1A) Subject to subsection (5), the Secretary of State may not under that Part grant a person whose Northern Ireland licence has been revoked under a provision of Northern Ireland law corresponding to section 3(1) a full licence to drive any class of vehicles in relation to which the revoked licence was issued as a full Northern Ireland licence unless he satisfies the Secretary of State as mentioned in subsection (1).”
  - (c) in subsections (2) and (3), at the end there is inserted “ or (as the case may be) full Northern Ireland licence ”,
  - (d) in subsection (5)—
    - (i) for “Subsection (1) does” there is substituted “ Subsections (1) and (1A) do ”, and
    - (ii) for “section 3(1)” there is substituted “ section 3 or whose Northern Ireland licence has been revoked under a provision of Northern Ireland law corresponding to section 3(1) ”.

### Commencement Information

- I4** Sch. 5 para. 48 in force at 11.10.2004 by [S.I. 2004/2624](#), **art. 2(1)(2)(b)**

- 49 In section 5 (restoration of licence without re-testing in certain cases)—
- (a) in subsections (1), (4) and (6), for “section 3(1)” there is substituted “ section 3 ”,
  - (b) in subsections (3)(a) and (4)(c), after “section 2” there is inserted “ or (as the case may be) the provision of Northern Ireland law corresponding to that section ”,
  - (c) at the end there is inserted—
 

“(11) Nothing in this section applies in relation to a person whose Northern Ireland licence has been revoked under section 3(1).”

### Commencement Information

- I5** Sch. 5 para. 49 in force at 11.10.2004 by [S.I. 2004/2624](#), **art. 2(1)(2)(b)**

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- 50 In section 7 (early termination of probationary period)—
- (a) in paragraph (b), for “section 3(1)” there is substituted “ section 3 ”,
  - (b) in paragraph (c)—
    - (i) for “paragraph 5(1)” there is substituted “ paragraph 5 ”,
    - (ii) for “paragraph 8(1)” there is substituted “ paragraph 8 ”.

**Commencement Information**

**I6** Sch. 5 para. 50 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 51 In section 9 (interpretation), after subsection (2) there is inserted—
- “(2A) In this Act—
- “full Northern Ireland licence” means a Northern Ireland licence other than a Northern Ireland provisional licence,
- “Northern Ireland provisional licence” means a Northern Ireland licence which corresponds to a provisional licence.”

**Commencement Information**

**I7** Sch. 5 para. 51 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 52 Schedule 1 (newly qualified drivers holding test certificates) is amended as follows.

**Commencement Information**

**I8** Sch. 5 para. 52 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 53 In paragraph 1, at the end there is inserted—
- “(3) In this Schedule “licence” includes a Northern Ireland licence, “full licence” includes a full Northern Ireland licence and “provisional licence” includes a Northern Ireland provisional licence.
- (4) In relation to the holder of a Northern Ireland licence, the following sub-paragraphs have effect for the purposes of this Schedule.
- (5) References to a test certificate are references to a certificate or other document (in this Schedule referred to as a “Northern Ireland test certificate”) which is evidence that he has not more than two years previously passed a Northern Ireland test of competence to drive corresponding to the test mentioned in sub-paragraph (1).
- (6) References to prescribed conditions are references to conditions subject to which the Northern Ireland provisional licence was granted.”

**Commencement Information**

**I9** Sch. 5 para. 53 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

- 54 In paragraph 2, after sub-paragraph (4) there is inserted—

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“(4A) In relation to the holder of a Northern Ireland licence, the reference in sub-paragraph (4)(b) to section 98(2) of the Road Traffic Act 1988 is a reference to the corresponding provision under the law of Northern Ireland.”

**Commencement Information**

**I10** Sch. 5 para. 54 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

55

In paragraph 5—

(a) after sub-paragraph (1) there is inserted—

“(1A) Where the Secretary of State serves on the holder of a Northern Ireland licence a notice under sub-paragraph (1), the Secretary of State must send to the licensing authority in Northern Ireland particulars of the notice together with the Northern Ireland test certificate.

(1B) Where the Secretary of State is sent by that licensing authority particulars of a notice served on the holder of a licence under a provision of Northern Ireland law corresponding to sub-paragraph (1), he must by notice served on that person revoke his test certificate.”,

<sup>F2</sup>(b) .....

(c) at the end there is inserted—

“(4) In this paragraph and paragraph 8 references to the revocation of a person’s Northern Ireland test certificate are references to its revocation as respects Great Britain.

(5) The effect of the revocation of a person’s Northern Ireland test certificate as respects Great Britain is that any prescribed conditions to which his Northern Ireland provisional licence ceased to be subject when he became a qualified driver shall again apply for the purposes of section 109(1) of the Road Traffic Act 1988.”

**Textual Amendments**

**F2** Sch. 5 para. 55(b) repealed (31.3.2009) by [Road Safety Act 2006 \(c. 49\)](#), s. 61(1)(10), [Sch. 7\(2\)](#); [S.I. 2008/3164](#), [art. 3\(d\)](#)

**Commencement Information**

**I11** Sch. 5 para. 55 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

56

In paragraph 6, in sub-paragraph (1), for “paragraph 5(1)” there is substituted “paragraph 5, or whose Northern Ireland test certificate has been revoked under a provision of Northern Ireland law corresponding to paragraph 5(1),”.

**Commencement Information**

**I12** Sch. 5 para. 56 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

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57 In paragraph 8—

(a) after sub-paragraph (1) there is inserted—

“(1A) Where the Secretary of State serves on the holder of a Northern Ireland licence a notice under sub-paragraph (1), the Secretary of State must send to the licensing authority in Northern Ireland particulars of the notice together with the Northern Ireland licence and the Northern Ireland test certificate.

(1B) Where the Secretary of State is sent by that licensing authority particulars of a notice served on the holder of a licence under a provision of Northern Ireland law corresponding to sub-paragraph (1), he must by notice served on that person revoke his licence and test certificate.”,

<sup>F3</sup>(b) .....

(c) at the end there is inserted—

“(3) In this paragraph references to the revocation of a person’s Northern Ireland licence are references to its revocation as respects Great Britain; and, accordingly, the person ceases to be authorised by virtue of section 109(1) of the Road Traffic Act 1988 to drive in Great Britain a motor vehicle of any class.”

**Textual Amendments**

**F3** Sch. 5 para. 57(b) repealed (31.3.2009) by [Road Safety Act 2006 \(c. 49\)](#), s. 61(1)(10), [Sch. 7\(2\)](#); [S.I. 2008/3164](#), art. 3(d)

**Commencement Information**

**I13** Sch. 5 para. 57 in force at 11.10.2004 by [S.I. 2004/2624](#), art. 2(1)(2)(b)

58 In paragraph 9—

(a) in sub-paragraph (1), for “paragraph 8(1)” there is substituted “ paragraph 8, or whose Northern Ireland licence and Northern Ireland test certificate have been revoked under a provision of Northern Ireland law corresponding to paragraph 8(1), ”,

(b) in sub-paragraph (4)(b)(i), after “1988” there is inserted “ , or under a provision of Northern Ireland law corresponding to that section, ”.

**Commencement Information**

**I14** Sch. 5 para. 58 in force at 11.10.2004 by [S.I. 2004/2624](#), art. 2(1)(2)(b)

59 In paragraph 10(a)—

(a) for “paragraph 5(1)” there is substituted “ paragraph 5 (or a person’s Northern Ireland test certificate has been revoked under a provision of Northern Ireland law corresponding to paragraph 5(1)) ”,

(b) for “paragraph 8(1)” there is substituted “ paragraph 8 (or a person’s Northern Ireland licence and Northern Ireland test certificate have been revoked under a provision of Northern Ireland law corresponding to paragraph 8(1)) ”.

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**Commencement Information**

**I15** Sch. 5 para. 59 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

60

In paragraph 11—

- (a) in sub-paragraphs (1) and (2)(c), for “paragraph 5(1)” and “paragraph 8(1)” there is substituted “ paragraph 5 ” and “ paragraph 8 ” respectively,
- (b) in sub-paragraph (1)(d), after “section 2” there is inserted “ or (as the case may be) the provision of Northern Ireland law corresponding to that section ”.

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**Commencement Information**

**I16** Sch. 5 para. 60 in force at 11.10.2004 by [S.I. 2004/2624](#), [art. 2\(1\)\(2\)\(b\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A4B inserted by [2003 c. 44 Sch. 36 para. 16](#)