
Changes to legislation: There are currently no known outstanding effects for the Driving Instruction (Suspension and Exemption Powers) Act 2009, Cross Heading: Suspension of licences. (See end of Document for details)

SCHEDULES

SCHEDULE 1

TRANSITORY AMENDMENTS TO EXISTING REGIME

Suspension of licences

- 5 After subsection (6) of section 130 of the Road Traffic Act 1988 (as it has effect without the omission of that section by Schedule 6 to the Act of 2006) (revocation of licences) insert—
- “(7) The Registrar may suspend a person's licence if the Registrar—
- (a) has given, or is about to give, the person notice under subsection (3),
 - (b) is considering whether to revoke the licence, or has decided to revoke the licence but the decision is not yet in effect, and
 - (c) believes that the person would pose a significant threat to the safety of members of the public if the licence were not suspended.
- (8) The Registrar must, on deciding to suspend a person's licence, give written notice of the decision to the person.
- (9) The decision to suspend takes effect on the giving of the notice.
- (10) No notice may be given under subsection (8) before the notice under subsection (3) is given but the subsection (8) notice may be included in the subsection (3) notice if the subsection (3) notice is still to be given when the decision to suspend is made.
- (11) A suspension under subsection (7) is terminated if—
- (a) the Registrar decides not to revoke the person's licence,
 - (b) the Registrar decides to revoke the person's licence but the decision has not taken effect and an appeal against the decision is successfully concluded,
 - (c) the Registrar has not decided whether to revoke the person's licence and the period of 75 days beginning with the giving of the subsection (3) notice has ended,
 - (d) the person's licence expires or is revoked, or
 - (e) the Registrar decides to terminate the suspension.
- (12) The Registrar must give written notice to a person of the fact that the person's suspension is terminated as mentioned in subsection (11)(a) to (c) or (e).
- (13) For the purposes of this Part of this Act the fact that a person's licence is suspended does not prevent the person from being a licence-holder.”

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Commencement Information

II Sch. 1 para. 5 in force at 6.7.2012 by S.I. 2012/1356, art. 4(b)

6 After subsection (8) of section 129 of the Road Traffic Act 1988 (c. 52) (as it has effect without the omission of that section by Schedule 6 to the Act of 2006) (licences for giving instruction so as to obtain practical experience) insert—

“(9) Sections 130(7) to (13) and 131A apply in relation to suspending a person's licence in connection with an application for a new licence in substitution for a licence current at the date of the application as if—

- (a) the references in sections 130(7) to (13) and 131A to—
 - (i) a notice under section 130(3) were references to a notice under subsection (7) above,
 - (ii) the revocation of the licence were (except in section 130(11) (d)) references to the refusal of the person's application for a new licence, and
 - (iii) the decision not being in effect were references to the decision not being in effect because the licence has not expired, and
- (b) section 131A(3), and the words “(whether or not the Registrar's decision has taken effect)” in section 131A(2)(b), were omitted.”

Commencement Information

I2 Sch. 1 para. 6 in force at 6.7.2012 by S.I. 2012/1356, art. 4(b)

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