
Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Road Traffic (Amendment) Act (Northern Ireland) 2016, Cross Heading: Disqualification on conviction. (See end of Document for details)

SCHEDULES

SCHEDULE 1

TRANSITIONAL AND SAVING PROVISIONS

PART 1

DRINK-DRIVING

Disqualification on conviction

PROSPECTIVE

6 The amendments of the Offenders Order made by section 12 do not apply in relation to an offence committed before the commencement of the amendments.

PROSPECTIVE

7 Article 35(3) of the Offenders Order (“Article 35(3)”) does not apply in relation to a person, where—

- (a) the offence specified in Article 35(3) of which the person is convicted was committed by the person on or after the relevant commencement date,
- (b) the proportion of alcohol in the person's body as regards the offence did not exceed—
 - (i) 34 microgrammes per 100 millilitres of breath,
 - (ii) 79 milligrammes per 100 millilitres of blood, or
 - (iii) 105 milligrammes per 100 millilitres of urine, and
- (c) the person's conviction of any other offence specified in Article 35(3) (or if more than one such offence, each such offence) was before the relevant commencement date.

PROSPECTIVE

8 In paragraph 7, “the relevant commencement date” means the date of commencement of the amendments of the Order of 1995 made by section 2.

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PROSPECTIVE

9 Until the commencement of the repeal (by Article 40(4) of and paragraph 47 of Schedule 5 to the Order of 2007) of Articles 63 and 82 respectively of the Offenders Order (endorsement of counterpart without hearing) and (endorsement of counterpart where fixed penalty under conditional offer paid), paragraph (3A) of Article 35 of the Offenders Order (inserted by section 13(2)) has effect as if the reference to “endorsement of the person's driving record in accordance with Article 63A” were a reference to “endorsement of the counterpart of the person's driving licence in accordance with Article 63 or 82 or his driving record in accordance with Article 63A or 82A”.

10 Until the commencement of the substitution (by Article 11(1) of the Order of 2007) of new Articles 36 to 38 for Articles 36 to 39 of the Offenders Order, Article 36 of the Offenders Order has effect as if it were amended as follows (instead of as in section 14)—

- (a) in paragraph (2), for “may” there were substituted “must, unless for special reasons it thinks that to do so is inappropriate and subject to paragraph (4),”
- (b) in paragraph (4)—
 - (i) after sub-paragraph (b), there were inserted “and”,
 - (ii) the word “and” after sub-paragraph (c) were omitted,
 - (iii) sub-paragraph (d) were omitted.

Commencement Information

II [Sch. 1 para. 10](#) in operation at 28.6.2021 by [S.R. 2021/146](#), [art. 2](#), [Sch.](#)

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