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STATUTORY INSTRUMENTS

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**1998 No. 1074**

**The Road Traffic (New Drivers) (Northern Ireland) Order 1998**

*Introductory*

**Title and commencement**

1.—(1) This Order may be cited as the Road Traffic (New Drivers) (Northern Ireland) Order 1998.

(2) This Order shall come into operation on such day as the Head of the Department may by order appoint.

(3) Subject to paragraphs 1 and 8 of Schedule 2, nothing in any provision of this Order applies to a person who becomes a qualified driver before the day on which the provision comes into operation.

**Interpretation**

2.—(1) Subject to Article 12(1), the Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“the Department” means the Department of the Environment;

“notice” means notice in writing;

“the Offenders Order” means the Road Traffic Offenders (Northern Ireland) Order 1996;

“the Order of 1981” means the Road Traffic (Northern Ireland) Order 1981;

“probationary period” has the meaning assigned to it by Article 3(1);

“qualified driver” has the meaning assigned to it by Article 3(2);

“the Road Traffic Orders” means the Order of 1981, the Road Traffic (Northern Ireland) Order 1995 and the Offenders Order.

(3) Expressions used in this Order which are also used in Part II of the Order of 1981 shall be construed in the same way as in that Order.

(4) Expressions used in this Order which are also used in the Offenders Order shall be construed in the same way as in that Order.

**Probationary period for newly qualified drivers**

3.—(1) For the purposes of this Order, a person’s probationary period is, subject to Article 9, the period of 2 years beginning with the day on which he becomes a qualified driver.

(2) For the purposes of this Order, a person becomes a qualified driver on the first occasion on which he passes—

(a) any test of competence to drive mentioned in sub-paragraph (a) or (c) of Article 5(1) of the Order of 1981;

(b) any test of competence to drive conducted under the law of—

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- (i) another EEA State;
- (ii) the Isle of Man;
- (iii) any of the Channel Islands; or
- (iv) Gibraltar.

(3) In paragraph (2) “EEA State” means a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992, as adjusted by the Protocol signed at Brussels on 17th March 1993.