

SCHEDULES

SCHEDULE 4

ENDORSEMENT: UNLICENSED AND FOREIGN DRIVERS: CONSEQUENTIAL AMENDMENTS

The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10)

25. In Article 87 (powers of court in cases of deception)–

(a) after paragraph (1) insert–

“(1A) This Article also applies where–

- (a) particulars are endorsed on a person’s driving record under Article 63A because the fixed penalty clerk or the Department is deceived as to whether endorsement under that Article is excluded by Article 66A(2) by virtue of the fact that the person to whom the fixed penalty notice was given would be liable to be disqualified under Article 40 if he were convicted of the offence, or
- (b) particulars are endorsed on a person’s driving record under Article 82A because the appropriate person or court is deceived as to whether proceedings against the person are excluded by Article 81 by virtue of the fact that the person to whom the conditional offer is issued would be liable to be disqualified under Article 40 if he were convicted of the offence.”.

(b) in paragraph (2)–

- (i) in sub-paragraph (a), for “licence holder” substitute “person to whom the fixed penalty notice was given or conditional offer was issued”;
- (ii) in sub-paragraph (b), for “licence holder” substitute “he”;
- (iii) after “63” insert “or 63A”; and
- (iv) after “82” insert “or 82A”.