

## SCHEDULES

### SCHEDULE 2

#### GIVING OF FIXED PENALTY NOTICES BY VEHICLE EXAMINERS ETC.

*Road Traffic (New Drivers) (Northern Ireland) Order 1998 (NI 7)*

- 23.** In Article 4 (surrender of licences)—
- (a) in paragraph (3)—
    - (i) in sub-paragraph (a)—
      - (A) after “Offenders Order” insert “, retained by a vehicle examiner under that Article”; and
      - (B) for “fixed penalty clerk”, in the second place where it occurs, substitute “appropriate person”;
    - (ii) in sub-paragraphs (c), (d) and (f), for “fixed penalty clerk” substitute “appropriate person”;
  - (b) in paragraph (4)—
    - (i) omit “, the fixed penalty clerk”;
    - (ii) in sub-paragraph (a), insert at the beginning “the appropriate person”; and
    - (iii) in sub-paragraph (b), insert at the beginning “unless the appropriate person is the Department, he”;
  - (c) in paragraph (5), omit “by the fixed penalty clerk”;
  - (d) after paragraph (6) insert—
    - “(7) In this Article and Article 5—
      - “course provider”, in relation to a fixed penalty notice, means—
        - (a) if it was given by a constable or an authorised person, the fixed penalty clerk; and
        - (b) if it was given by a vehicle examiner or the Department, the Department; and
      - “course provider”, in relation to a conditional offer, means—
        - (a) where the conditional offer was issued under Article 80(1) of the Offenders Order, the fixed penalty clerk; and
        - (b) where it was issued under paragraph (1A) of that Article, the Department.”.