

SCHEDULES

SCHEDULE 1

NEWLY QUALIFIED DRIVERS HOLDING TEST CERTIFICATES

PART II

DUTY TO PROVIDE TEST CERTIFICATE

- 3 (1) Sub-paragraph (2) applies where—
- (a) a person to whom this Part of this Schedule applies is prosecuted for an offence involving obligatory endorsement; and
 - (b) the time at which the offence for which he is prosecuted is alleged to have occurred is a time during his probationary period.
- (2) Any obligations imposed on the person under section 7 of the Road Traffic Offenders Act 1988 as respects his licence and its counterpart shall also apply as respects his test certificate.
- (3) If, in a case where sub-paragraph (2) applies—
- (a) the person is convicted in the proceedings in question of an offence involving obligatory endorsement, and
 - (b) he has not previously caused his test certificate to be delivered or posted it to the clerk of the court,
- he must produce his test certificate to the court.
- (4) In a case where—
- (a) the licence of a person to whom this Part of this Schedule applies has (with its counterpart) been sent to the fixed penalty clerk under section 54(7) of the Road Traffic Offenders Act 1988 or delivered to the fixed penalty clerk in response to a conditional offer issued under section 75 of that Act,
 - (b) the offence to which the fixed penalty notice or the conditional offer relates is one involving obligatory endorsement and occurring during his probationary period, and
 - (c) the person proposes to pay the fixed penalty to the fixed penalty clerk,
- the person must ensure that when the fixed penalty is paid his test certificate is sent to the fixed penalty clerk to whom the payment is made.
- (5) A person who without reasonable excuse fails to comply with sub-paragraph (3) or (4) is guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.