
STATUTORY INSTRUMENTS

1996 No. 1320

The Road Traffic Offenders (Northern Ireland) Order 1996

PART III SENTENCE

Endorsement

Endorsement of licences

49.—(1) Where a person is convicted of an offence involving obligatory endorsement, the court must order there to be endorsed on the counterpart of any licence held by him particulars of the conviction and also—

- (a) if the court orders him to be disqualified, particulars of the disqualification, or
- (b) if the court does not order him to be disqualified—
 - (i) particulars of the offence, including the date when it was committed, and
 - (ii) the penalty points to be attributed to the offence.

(2) Where the court does not order the person convicted to be disqualified, it need not make an order under paragraph (1) if for special reasons it thinks fit not to do so.

(3) This Article is subject to Article 53.

[^{F1}Endorsement of driving record in accordance with order

49A.—(1) Where the court orders the endorsement of a person's driving record with any particulars or penalty points it must send notice of the order to the Department.

(2) On receiving the notice, the Department must endorse those particulars or penalty points on the person's driving record.

(3) A notice sent by the court to the Department in pursuance of this Article must be sent in such manner and to such address and contain such particulars as the Department may require.]

<p>F1 Art. 49A inserted (14.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 39(3); S.R. 2010/370, art. 2(2), Sch. Pt. II</p>
--

Effect of endorsement [^{F2}of counterparts]

50.—(1) An order that any particulars or penalty points are to be endorsed on the counterpart of any licence held by the person convicted shall ^{F3}. . . operate as an order that the counterpart of any licence he may then hold or may subsequently obtain is to be so endorsed until he becomes entitled under paragraph (3) to have a licence issued to him with its counterpart free from the particulars or penalty points.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Road Traffic Offenders (Northern Ireland) Order 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(2) On the issue of a new licence to a person, any particulars or penalty points ordered to be endorsed on the counterpart of any licence held by him shall be entered on the counterpart of the licence unless he has become entitled under paragraph (3) to have a licence issued to him with its counterpart free from those particulars or penalty points.

(3) A person the counterpart of whose licence has been ordered to be endorsed is entitled to have issued to him with effect from the end of the period for which the endorsement remains effective a new licence with a counterpart free from the endorsement if he applies for a new licence in pursuance of Article 13(1) of the Order of 1981, surrenders any subsisting licence and its counterpart, pays the fee prescribed by regulations under Part II of that Order and satisfies the other requirements of Article 13(1) of that Order.

(4) An endorsement ordered on a person's conviction of an offence remains effective (subject to paragraphs (5) and (6))—

- (a) if an order is made for the disqualification of the offender, until 4 years have elapsed since the conviction, and
- (b) if no such order is made, until either—
 - (i) 4 years have elapsed since the commission of the offence, or
 - (ii) an order is made for the disqualification of the offender under Article 40.

(5) Where the offence was one under Article 9 or 10 of the Order of 1995 (causing death, or grievous bodily injury, by dangerous driving and dangerous driving), the endorsement remains in any case effective until 4 years have elapsed since the conviction.

(6) Where the offence was one—

- (a) under Article 14, 15(1) or 16(1)(a) of that Order (driving offences connected with drink or drugs), ^{F4} . . .
- (b) under Article 18(7) of that Order (failing to provide specimen) involving obligatory disqualification, [^{F5} or
- (c) under Article 18A(6) of that Order (failing to allow a specimen to be subjected to laboratory test),]

the endorsement remains effective until 11 years have elapsed since the conviction.

- | | |
|-----------|--|
| F2 | Words in art. 50 heading inserted (14.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 39(6), Sch. 4 para. 8(a) ; S.R. 2010/370, art. 2(2) , Sch. Pt. II |
| F3 | Words in art. 50(1) repealed (14.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 39(6), 86(2), Sch. 4 para. 8(b), Sch. 8 Pt. IV ; S.R. 2010/370, art. 2(2) , Sch. Pt. II |
| F4 | Words in art. 50(6)(a) repealed (15.11.2007) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 86(2), Sch. 8 Pt. I ; S.R. 2007/454, art. 2 , Sch. |
| F5 | Art. 50(6)(c) and preceding word inserted (15.11.2007) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3), 15 ; S.R. 2007/454, art. 2 , Sch. |

[^{F6}Effect of endorsement of driving records

50A.—(1) An order that any particulars or penalty points are to be endorsed on a person's driving record shall operate as an order that his driving record is to be so endorsed until the end of the period for which the endorsement remains effective.

(2) At the end of the period for which the endorsement remains effective the Department must remove the endorsement from the person's driving record.

(3) On the issue of a new licence to a person, any particulars ordered to be endorsed on his driving record shall be entered on the counterpart of the licence unless he has become entitled under paragraph (4) to have a licence issued to him with its counterpart free from those particulars or penalty points.

(4) A person the counterpart of whose licence has been endorsed under paragraph (3) is entitled to have issued to him with effect from the end of the period for which the endorsement remains effective a new licence with a counterpart free from the endorsement if he applies for a new licence in pursuance of Article 13(1) of the Order of 1981, surrenders any subsisting licence and its counterpart, pays the fee prescribed by regulations under Part II of that Order and satisfies the other requirements of Article 13(1) of that Order.

(5) The period for which an endorsement remains effective is determined in accordance with Article 50(4) to (6).]

F6 [Art. 50A](#) inserted (14.12.2010) by [Road Traffic \(Northern Ireland\) Order 2007 \(S.I. 2007/916 \(N.I. 10\)\)](#), arts. 1(3), 39(6), **Sch. 4 para. 9**; S.R. 2010/370, **art. 2(2)**, Sch. Pt. II

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Road Traffic Offenders (Northern Ireland) Order 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- [art. 49 heading](#) substituted by [S.I. 2007/916 \(N.I.\) art. 39\(2\)\(a\)](#)
- [art. 50 heading words](#) inserted by [S.I. 2007/916 \(N.I.\) Sch. 4 para. 8\(a\)](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order transfer of functions by [S.R. 2016/76 Sch. 5 Pt. 2](#)
- Order transfer of functions by [S.I. 2010/976 Sch. 17 para. 46](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [Pt. 4A](#) inserted by [S.I. 2007/916 \(N.I.\) art. 12\(1\)](#)
- [Pt. 4B](#) inserted by [2022 c. 32 s. 89\(2\)](#)
- [s. 40A40B](#) inserted by [2009 c. 25 Sch. 16 para. 4](#)
- [art. 15\(1\) power to apply](#) conferred by [S.I. 2007/916 \(N.I.\) Sch. 1 para. 8](#)
- [art. 15\(1\) power to apply](#) conferred by [SI 1981/154 \(N.I. 1\) Sch. 2A para. 7](#) (as inserted) by [S.I. 2007/916 \(N.I.\) Sch. 3](#)
- [art. 23\(2\)\(g\)](#) added by [S.R. 2014/230 art. 2](#)
- [art. 35\(1ZA\)-\(1ZC\)](#) inserted by [2016 c. 11 \(N.I.\) s. 12\(2\)](#)
- [art. 35\(3A\)](#) inserted by [2016 c. 11 \(N.I.\) s. 13\(2\)](#)
- [art. 36\(3A\)](#) inserted by [2009 c. 25 Sch. 21 para. 92\(3\)\(d\)](#)
- [art. 36\(4A\)](#) inserted by [2016 c. 11 \(N.I.\) s. 14\(2\)](#)
- [art. 37\(2A\)](#) inserted by [2009 c. 25 Sch. 21 para. 92\(4\)\(c\)](#)
- [art. 38A\(5A\)](#) inserted by [2009 c. 25 Sch. 21 para. 92\(5\)\(c\)](#)
- [art. 38A\(6A\)](#) inserted by [2009 c. 25 Sch. 21 para. 92\(5\)\(e\)](#)
- [art. 42\(2A\)](#) inserted by [2009 c. 25 Sch. 21 para. 92\(7\)\(c\)](#)
- [art. 42\(5\)](#) added by [S.R. 2016/135 reg. 2\(2\)](#)
- [art. 47\(3A\)](#) inserted by [2009 c. 25 Sch. 21 para. 92\(8\)\(b\)](#)
- [art. 47\(3B\)](#) inserted by [2009 c. 25 Sch. 21 para. 92\(8\)\(c\)](#)
- [art. 52\(2ZA\)](#) inserted by [2009 c. 25 Sch. 21 para. 92\(9\)\(b\)](#)
- [art. 54A](#) inserted by [2016 c. 11 \(N.I.\) s. 15](#)
- [art. 59\(2A\)](#) inserted by [2016 c. 11 \(N.I.\) s. 8\(2\)](#)
- [art. 59\(4\)](#) added by [2016 c. 11 \(N.I.\) s. 8\(3\)](#)
- [art. 59A-59C](#) inserted by [2016 c. 11 \(N.I.\) s. 9\(1\)](#)
- [art. 63A\(7\)](#) added by [2016 c. 11 \(N.I.\) s. 11\(1\)\(d\)](#)
- [art. 64B](#) inserted by [2016 c. 11 \(N.I.\) s. 8\(5\)](#)
- [art. 76\(3A\)\(3B\)](#) inserted by [2016 c. 21 \(N.I.\) Sch. 2 para. 5\(3\)](#)

Commencement Orders yet to be applied to the The Road Traffic Offenders (Northern Ireland) Order 1996

Commencement Orders bringing legislation that affects this Order into force:

- [S.R. 2010/226 art. 2Sch.](#) commences ([S.I. 2007/916 \(N.I.\)](#))
- [S.R. 2010/370 art. 2Sch.](#) commences ([S.I. 2007/916 \(N.I.\)](#))
- [S.R. 2011/286 art. 2Sch.](#) commences ([S.I. 2007/916 \(N.I.\)](#))
- [S.R. 2012/16 art. 2](#) commences ([S.I. 1996/1320 \(N.I.\)](#))
- [S.R. 2012/262 art. 2-6](#) commences ([2010 c. 2 \(N.I.\)](#))
- [S.R. 2012/313 art. 2Sch.](#) commences ([2008 c. 4](#))
- [S.R. 2014/238 art. 2Sch.](#) commences ([2008 c. 4 \(N.I.\)](#))

- S.R. 2015/284 art. 2Sch. commences (2011 c. 11 (N.I.))
- S.R. 2015/389 art. 2(3)Sch. Pt. 3 commences (2008 c. 4 (N.I.))
- S.R. 2016/387 art. 2 commences (2015 c. 9 (N.I.))
- S.R. 2017/34 art. 2 commences (2010 c. 14 (N.I.))
- S.R. 2018/99 art. 2(a)-(c) commences (2016 c. 21 (N.I.))