

---

## STATUTORY INSTRUMENTS

---

# 1998 No. 1074

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

### *Revocation of licences and re-testing*

#### **Restoration of licence without re-testing in certain cases**

7.—(1) If the Department receives notice that a person whose licence has been revoked under<sup>[F1]</sup> Article 5] is appealing against a conviction or endorsement which was the basis or formed part of the basis for the revocation, the Department shall grant that person free of charge a full licence for a period prescribed by regulations made by it,

(2) Regulations under paragraph (1) may in particular prescribe—

- (a) a period expiring when the appeal is finally determined or abandoned; or
- (b) a period expiring on the date on which the revoked licence would have expired if it had not been revoked.

(3) If the regulations prescribe a period other than that mentioned in paragraph (2)(a), a licence granted under paragraph (1) shall be treated as revoked if—

- (a) following the appeal, the penalty points taken into account for the purposes of Article 4<sup>[F1]</sup> or (as the case may be) section 2 of the Road Traffic (New Drivers) Act 1995] are not reduced to a number smaller than 6; or
- (b) the appeal is abandoned.

(4) If, in the case of a person whose licence has been revoked under<sup>[F1]</sup> Article 5], the Department receives notice that a court—

- (a) has quashed a conviction which was the basis or formed part of the basis for the revocation of the licence;
- (b) has quashed an endorsement which was the basis or formed part of the basis for the revocation of the licence and has not on doing so ordered him to be disqualified; or
- (c) has made an order which has the effect of reducing the penalty points taken into account for the purposes of Article 4<sup>[F1]</sup> or (as the case may be) section 2 of the Road Traffic (New Drivers) Act 1995] to a number smaller than 6,

then, subject to paragraph (5), the Department shall grant that person free of charge a full licence for a period expiring on the date on which the revoked licence would have expired if it had not been revoked.

(5) Paragraph (4) does not require the Department to grant a licence to a person who has been granted a previous licence which has not been surrendered unless that person provides the Department with an explanation for not surrendering the previous licence that the Department considers adequate.

(6) If, in accordance with paragraph (1) or (4), the Department grants a full licence to a person whose licence has been revoked under<sup>[F1]</sup> Article 5], the licence granted shall be one authorising that person to drive all the classes of vehicles in relation to which the revoked licence was issued as a full licence.

---

**Changes to legislation:** *The Road Traffic (New Drivers) (Northern Ireland) Order 1998, Section 7 is up to date with all changes known to be in force on or before 22 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

(7) Any licence granted in accordance with paragraph (1) or (4) shall have effect for the purposes of the Road Traffic Orders as if it were a licence granted under Part II of the Order of 1981.

(8) The Department, after consultation with the Lord Chancellor, may by regulations make provision for requiring such courts as may be prescribed by the regulations to give notice to the Department—

- (a) that a person whose licence has been or is due to be revoked under Article 5(1) is appealing against a conviction or endorsement which is the basis or forms part of the basis for the revocation;
- (b) as to the final determination of such an appeal;
- (c) that such an appeal has been abandoned.

(9) Regulations under this Article may include such incidental or supplementary provision as appears to the Department to be expedient and shall be subject to negative resolution.

[<sup>F1</sup>(10) Nothing in this Article applies in relation to a person whose Great Britain licence has been revoked under Article 5(1).]

<b>F1</b> 2003 NI 16
----------------------

**Changes to legislation:**

The Road Traffic (New Drivers) (Northern Ireland) Order 1998, Section 7 is up to date with all changes known to be in force on or before 22 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

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

- Sch. 1 para. 5(6) added by [2016 c. 11 \(N.I.\) s. 20\(4\)\(a\)\(iv\)](#)
- Sch. 1 para. 8(4) added by [2016 c. 11 \(N.I.\) s. 20\(4\)\(c\)\(iv\)](#)
- Sch. 1 para. 5(1ZB)-(1ZC) inserted by [2016 c. 11 \(N.I.\) s. 20\(4\)\(a\)\(iii\)](#)
- Sch. 1 para. 5A inserted by [2016 c. 11 \(N.I.\) s. 20\(4\)\(b\)](#)
- Sch. 1 para. 8(1ZB)-(1ZC) inserted by [2016 c. 11 \(N.I.\) s. 20\(4\)\(c\)\(iii\)](#)
- Sch. 1 para. 8A inserted by [2016 c. 11 \(N.I.\) s. 20\(4\)\(d\)](#)
- art. 5(1ZB)(1ZC) inserted by [2016 c. 11 \(N.I.\) s. 20\(2\)\(c\)](#)
- art. 5(4) added by [2016 c. 11 \(N.I.\) s. 20\(2\)\(d\)](#)
- art. 5A5B inserted by [2016 c. 11 \(N.I.\) s. 20\(3\)](#)