

## 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 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 Article 11 of the Offenders Order 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 shall produce his test certificate to the court.

(4) In a case where—

- (a) the licence of a person to whom this Part applies has (with its counterpart) been sent to the [<sup>F1</sup>appropriate person] under Article 60(7) of the Offenders Order or delivered to the [<sup>F1</sup>appropriate person] in response to a conditional offer issued under Article 80 of that Order;
- (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 [<sup>F2</sup>appropriate person],

the person shall ensure that when the fixed penalty is paid his test certificate is sent to the [<sup>F3</sup>appropriate person].

(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.

**F1** Words in Sch. 1 para. 3(4)(a) substituted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3)(4), 16, Sch. 2 para. 25(b)(i) (with art. 84); S.R. 2010/370, art. 2(1), Sch. Pt. 1

**Changes to legislation:** *The Road Traffic (New Drivers) (Northern Ireland) Order 1998, Paragraph 3 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*

- F2** Words in Sch. 1 para. 3(4)(c) substituted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3)(4), 16, **Sch. 2 para. 25(b)(ii)** (with art. 84); S.R. 2010/370, **art. 2(1)**, Sch. Pt. 1
- F3** Words in Sch. 1 para. 3(4) substituted (13.12.2010) by Road Traffic (Northern Ireland) Order 2007 (S.I. 2007/916 (N.I. 10)), arts. 1(3)(4), 16, **Sch. 2 para. 25(b)(iii)** (with art. 84); S.R. 2010/370, **art. 2(1)**, Sch. Pt. 1

**Changes to legislation:**

The Road Traffic (New Drivers) (Northern Ireland) Order 1998, Paragraph 3 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.

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**Changes and effects yet to be applied to :**

- Sch. 1 para. 3(2) words repealed by [S.I. 2007/916 \(N.I.\) Sch. 5 para. 59\(a\)\(i\)Sch. 8 Pt. 5](#)
- Sch. 1 para. 3(4)(a) words repealed by [S.I. 2007/916 \(N.I.\) Sch. 5 para. 59\(a\)\(ii\)Sch. 8 Pt. 5](#)

**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\(3\)](#)