

SCHEDULES

SCHEDULE 2

GIVING OF FIXED PENALTY NOTICES BY VEHICLE EXAMINERS ETC.

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

25. In Schedule 1 (newly qualified drivers holding test certificates)–
- (a) in paragraph 1, after sub-paragraph (2) insert–
 - “(2A) In this Schedule “the appropriate person” has the same meaning as in Articles 4 and 5.”;
 - (b) in paragraph 3(4)–
 - (i) in head (a), for “fixed penalty clerk” in both places substitute “ appropriate person ”;
 - (ii) in head (c), for “fixed penalty clerk” substitute “ appropriate person ”; and
 - (iii) in the words following head (c), for “fixed penalty clerk to whom the payment is made” substitute “ appropriate person ”;
 - (c) in paragraph 4(3)–
 - (i) in head (b), for “fixed penalty clerk” substitute “ appropriate person ”; and
 - (ii) for the words following head (c) substitute “ Article 4(4) does not apply but if the appropriate person is the fixed penalty clerk sub-paragraph (4) applies instead. ”;
 - (d) in paragraph 5–
 - (i) after sub-paragraph (1) insert–
 - “(1ZA) Where Article 4(4) is disapplied by paragraph 4(3) and the appropriate person is the Department, the Department must by notice served on the person to whom the fixed penalty notice or conditional offer was given or issued revoke that person's test certificate.”;
 - (ii) in sub-paragraph (1A), after “sub-paragraph (1)” insert “ or (1ZA) ”;
 - (iii) in sub-paragraph (1B), after “paragraph 5(1)” insert “ or (1ZA) ”;
 - (iv) in sub-paragraph (2), for “sub-paragraph (1) or (1B)” substitute “ this paragraph ”;
 - (e) in paragraph 6(1), after “paragraph 5(1)” insert “ or (1ZA) ”;
 - (f) in paragraph 7–
 - (i) in sub-paragraph (3)(b), for “fixed penalty clerk” substitute “ appropriate person ”; and
 - (ii) in sub-paragraph (4)–
 - (A) for “fixed penalty clerk” substitute “ appropriate person ”; and
 - (B) at the beginning of head (b) insert “ unless the appropriate person is the Department, ”;
 - (g) in paragraph 8–
 - (i) after sub-paragraph (1) insert–

Changes to legislation: The Road Traffic (Northern Ireland) Order 2007, Paragraph 25 is up to date with all changes known to be in force on or before 20 April 2024. 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

“(1ZA) Where paragraph 7(4) applies and the appropriate person is the Department, the Department must by notice served on the person to whom the fixed penalty notice or conditional offer was given or issued revoke that person's licence and test certificate.”;

- (ii) in sub-paragraph (1A), after “sub-paragraph (1)” insert “ or (1ZA) ”;
- (iii) in sub-paragraph (1B), after “paragraph 8(1)” insert “ or (1ZA) ”; and
- (iv) in sub-paragraph (2), for “sub-paragraph (1) or (1B)” substitute “ this paragraph ”;
- (h) in paragraph 9, after “paragraph 8(1)” insert “ or (1ZA) ”;
- (i) in paragraph 10(a), after–
 - (i) “paragraph 5(1)”; and
 - (ii) “paragraph 8(1)”,insert “ or (1ZA) ”.

Changes to legislation:

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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. 2 para. 4(d)-(g) repealed by [S.I. 2007/916 \(N.I.\) Sch. 8 Pt. 5](#)
- Sch. 4 para. 7(a)(b) repealed by [S.I. 2007/916 \(N.I.\) Sch. 8 Pt. 5](#)
- Sch. 4 para. 13(b)(c)(d) repealed by [S.I. 2007/916 \(N.I.\) Sch. 8 Pt. 5](#)
- Sch. 4 para. 21(a)-(c) repealed by [S.I. 2007/916 \(N.I.\) Sch. 8 Pt. 5](#)