

SCHEDULES

SCHEDULE 2

Section 16(2).

AMENDMENTS OF PROVISIONS OF ACT OF 1960 RELATING TO DRIVERS ETC.

- 1 Section 99(4) (under which the requirements as to tests imposed by subsection (1) of that section may be dispensed with for persons not resident in Great Britain) shall cease to have effect; but the repeal of section 99(4) by this Act, shall not affect—
 - (a) a licence granted by virtue of section 99(4) before the repeal takes effect; or
 - (b) the references in section 99(1) to licences granted by virtue of section 99(4) or of a provision for the time being corresponding thereto.
- 2 For subsection (5) of section 99 (which provides that certain tests of competence are sufficient to authorise the granting of a driving licence) there shall be substituted the following subsection:—

“(5) For the purposes of paragraph (a) of subsection (1) of this section a test of competence shall be sufficient for the granting of a licence authorising the driving of—

 - (a) vehicles of any class or description, if at the time the test was passed (whether before or after the passing of this Act) it authorised the granting of a licence to drive vehicles of that class or description ;
 - (b) vehicles of any classes or descriptions which are designated by regulations as a group for the purposes of the said paragraph (a), if at the said time the test authorised the granting of a licence to drive vehicles of any class or description included in the group ;

and if vehicles of any classes or descriptions are designated by regulations as a group for the purposes of paragraph (b) of subsection (1) of this section, a licence authorising the driving of vehicles of a class or description included in the group shall be deemed for the purposes of the said paragraph (b) to authorise the driving of vehicles of all classes or descriptions included in the group.

The last foregoing reference to a licence and the first reference to a licence in the said paragraph (b) do not include a licence which has been revoked in pursuance of section 102(2) of this Act.”
- 3 In section 110 (which among other things penalises a person who applies for or obtains a licence while he is disqualified for holding or obtaining it) the words " applies for or " in paragraph (a) shall cease to have effect.
- 4 In section 112(1) (which requires the licence of a disqualified person to be retained by the licensing authority until the disqualification expires or is removed and he demands the return of the licence) for the words from " shall keep " onwards there shall be substituted the words " may dispose of it as the authority think fit; but where the disqualification expires or is removed before the expiration of the period for which the licence was granted and the person to whom it was granted makes to the authority during that period, in such form and containing such particulars supported by such evidence or further evidence as the Minister may specify, a demand for the

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grant of a new licence for the period for which the licence aforesaid was granted, the authority shall comply with the demand " , and in section 112(3) the words from " on the return " to " him or " shall cease to have effect.

5 In section 115, in the definition of "provisional licence", for the words " section one hundred and two " there shall be substituted the words " section 101(2) ".

6 In section 225(1)(d) and section 226(2) (under which a constable may require a person to produce his licence for examination or to state his name and address if he is accompanying or has accompanied a person driving a vehicle under a provisional licence) for the words " accompanies " and " to have accompanied " there shall be substituted respectively the words " supervises " and " was supervising ".

7 In section 225(2) (which enables a constable to seize a licence which is not delivered up as required by section 100(6) of the Act of 1960) for the words " subsection (6) of section one hundred thereof " there shall be substituted the words " section 100 or section 102 of this Act " and for the words " for cancellation as required by that subsection " there shall be substituted the words " in pursuance of that section " , and the words " for cancellation " in the second place where they occur shall cease to have effect.

8 In section 232(2)(a) (under which the owner of a vehicle may be required to identify the driver of it who is alleged to have committed an offence to which that section applies) for the words " owner of " there shall be substituted the words " person keeping ".

9 At the end of section 233(1) (which specifies the documents of which, among other things, the forgery or misuse is an offence under that section) there shall be inserted the following paragraph:—

“(h) any document which, in pursuance of section 99(2) of this Act or section 20(1) of the Road Safety Act 1967, is issued as evidence of the result of a test of competence to drive.”

10 In section 241(2)(c)(ii) and (4)(a) (which among other things relate to the service of a notice on the owner of a vehicle) for the word " owner " there shall be substituted the word " keeper ".

11 In section 244 (which specifies the time for beginning summary proceedings for certain offences), for the words from " from " where it first occurs onwards there shall be substituted the words " from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge ; but no such proceedings shall be brought by virtue of this section more than three years after the commission of the offence.

For the purposes of this section a certificate signed by or on behalf of the prosecutor and stating the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved. "

12 In section 247 (which relates to the destination of fines)—

(a) in subsection (1), after the words " forty-eight)" there shall be inserted the words " or a fine imposed in respect of an offence under section 22 of the Vehicle and Driving Licences Act 1969 ";

(b) in subsection (2), after the words " Twelfth Schedule)" in the second place where they occur there shall be inserted the words " or a fine imposed in

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respect of an offence under section 22 of the Vehicle and Driving Licences Act 1969 ".

- 13 At the end of paragraph 1 of Schedule 15 (which contains transitional provisions for the grant of drivers' licences for heavy goods vehicles to persons in the habit of driving such vehicles) there shall be inserted the following:—

“The reference in the foregoing provisions of this paragraph to the driving of a heavy goods vehicle does not include a reference to the driving of such a vehicle of a prescribed class or of such a vehicle while it is being used in prescribed circumstances.”