

## SCHEDULES

### SCHEDULE 1

#### CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

Section 2(8).

#### PART I

##### AMENDMENTS CONSEQUENTIAL ON S 1

###### *The Road Traffic Act 1960*

1 At the end of section 115 of the Act of 1960 there shall be inserted the following subsection:—

“(2) For the purposes of this Part of this Act the licensing authority is—

- (a) on and after the transfer date within the meaning of the Vehicle and Driving Licences Act 1969, the Minister; and
- (b) before that date, the relevant council specified in section 101(1) of this Act as in force immediately before the coming into force of section 14 of that Act,”

2 Any reference in Part II of the Act of 1960 to a licensing authority shall be construed as a reference to the licensing authority.

3 The following provisions of the Act of 1960 shall cease to have effect, that is to say—

- in section 109(3) the words from " to be granted" to " was granted)" ;
- in section 112(1) the words from "by which the" to "resides" and the words " by which it was granted ", and in section 112(2) the words from "in whose area " onwards ;
- in section 113, paragraphs (b) and (c);
- in section 114(1) the words from "in the same manner" onwards.

###### *The Vehicles (Excise) Act 1962*

4 Subject to paragraphs 5 and 8 below, for any reference in the Act of 1962 to a county council within the meaning of that Act there shall be substituted a reference to the Minister.

5 In section 5(2) of the Act of 1962, for the words from " and of any " to " their county " there shall be substituted the words " the Minister and his officers (including any body or person authorised by the Minister to act as his agent for the purposes of this Act) shall have " .

6 In section 13(1) of the Act of 1962, for the words "the prescribed manner " there shall be substituted the words " such manner as the Minister thinks fit. "

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- 7 At the end of section 19(2) of the Act of 1962 there shall be inserted the words " and section 287 of that Act (which relates to the application of penalties) shall not apply to penalties recovered under or in pursuance of this Act ".
- 8 The following provisions of the Act of 1962 shall cease to have effect, that is to say—
- in section 5(1) the words from " in accordance " onwards, in section 5(3) the words from " and subject" to " this section ", in section 5(4) the words from " in such manner " onwards, and section 5(5) and (6);
  - in section 6(6) the words " if authorised so to do by the Minister " ;
  - in section 9(1) the words from " with which " onwards;
  - in section 11(1), paragraph (a);
  - in section 12(1) the words " in which his business premises are situated " and section 12(7) and (8);
  - in section 13(1) the words "issuing the licence" and "and the council which has registered it" ;
  - in section 21(2) the words from " in such manner " onwards;
  - sections 22, 23(4) and 24(5) and in section 24(1) the definition of " county " (including the provision relating to references to the council of a county).

*The Local Government Act 1966*

- 9 In section 33 of the Local Government Act 1966 the reference to the functions relating to highways shall include a reference to the relevant functions, and any reference in that section to a council or the Minister within the meaning of that section shall respectively be construed, in relation to the relevant functions, as a reference to a local authority or the Minister within the meaning of this Act.

In this paragraph " relevant functions" includes the Minister's functions under the Act of 1962 in relation to the Isles of Scilly and " local authority " includes the Council of the said Isles.

*The Local Government (Scotland) Act 1966*

- 10 In section 35 of the Local Government (Scotland) Act 1966—
- (a) in subsection (1), after the words " A local authority " there shall be inserted the words " within the meaning of section 113(1) of the Town and Country Planning (Scotland) Act 1947 ";
  - (b) after subsection (1) there shall be inserted the following subsection:—
    - “(1A) A local authority within the meaning of section 33 of the Vehicle and Driving Licences Act 1969 may enter into an agreement with the Minister of Transport for the placing at his disposal, for the purpose of any of the relevant functions within the meaning of the said Act of 1969, on such terms as may be provided by the agreement, of the services of persons employed by the local authority and of any premises, equipment and other facilities under their control.”
  - (c) in subsection (2), after the words " Secretary of State " there shall be inserted the words " or the Minister of Transport ";
  - (d) in subsection (3) the words from " local authority" to " and " in the second place where it occurs shall cease to have effect.

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*The Finance Act 1967*

- 11 For the references to a county council in section 12(2)(a) and (8) of the Finance Act 1967 there shall be substituted references to the Minister.

*The Criminal Justice Act 1967*

- 12 In section 56(10) of the Criminal Justice Act 1967, for paragraphs (a) and (b) there shall be substituted the words " send notice of the order to the Minister of Transport ", and for the words from " any such" onwards there shall be substituted the words " the Minister of Transport ".  
Section 4(4).

**PART II**

AMENDMENTS CONSEQUENTIAL ON S.4

*The Vehicles (Excise) Act 1962*

- 13 The following provisions of the Act of 1962 shall cease to have effect, that is to say—  
    section 2(1)(a), and in section 2(1)(b) and (c) the words from " running " onwards;  
    in section 2(2)(a) the words "one calendar year or" and " other ";  
    section 12(4).
- 14 In section 10(3) of the Act of 1962 for the word " months " in both places there shall be substituted the word " days " and for the words from " any " onwards there shall be substituted the words " that period being treated as 365 days in the case of a licence for twelve months and 120 days in the case of a licence for four months ".
- 15 In section 12(5) of the Act of 1962 for the words " calendar year" there shall be substituted the words " period of twelve months " and for the words " three months shall be eleven fortieths " there shall be substituted the words " four months shall be eleven thirtieths ".

*The Finance Act 1967*

- 16 In section 12(2) of the Finance Act 1967, for the words " one twelfth " there shall be substituted the words " one three-hundred-and-sixty-fifth ", for the words " calendar month or part of a calendar month " there shall be substituted the word " day " and for the words " calendar month immediately following that in " there shall be substituted the words " day following that on ".
- 17 In section 12(3) and (4) of the Finance Act 1967, for the words "month or part of a month" and the words "month or part" wherever else they occur there shall be substituted the word " day ".
- 18 In section 12(4) of the Finance Act 1967, for the words " at the beginning of " there shall be substituted the word " on ".

## 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 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) " .

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- 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 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:—

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“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.”

## SCHEDULE 3

Section 37.

## REPEALS

Chapter	Short title	Extent of repeal
1920 c. 72.	The Roads Act 1920.	Section 3(4). In section 17, the definitions of " county" and " county council". Section 18.
1955 c. 6. (4 & 5 Eliz. 2)	The Miscellaneous Financial Provisions Act 1955.	In Schedule 1, the entry relating to the Roads Act 1920.
1960 c. 16.	The Road Traffic Act 1960.	Section 99(4). In section 109(3), the words from " to be granted" to " Act". In section 110(a), the words " applies for or ". In section 112, in subsection (1) the words from " by which the" to "resides" and the words " by which it was granted", in subsection (2) the words from "in whose area" onwards, and in subsection (3) the words from "on the return" to "him or". In section 113, paragraphs (b) and (c) and in paragraph (g) the words "not exceeding two shillings and sixpence ". In section 114(1), the words from " in the same manner " onwards. In section 115, the definition of " test of fitness to drive ".

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Chapter	Short title	Extent of repeal
1962 c. 13.	The Vehicles (Excise) Act 1962.	<p>In section 225, in subsection (1)(d) the words "section one hundred and two of", and in subsection (2) the words "for cancellation" in the second place where they occur.</p> <p>In section 226(2), the words "section one hundred and two of".</p> <p>In section 247(2), the words from "in the manner" to "mentioned".</p> <p>In section 2, in subsections (1) and (2) the words "Subject to the provisions of the following section", subsection (1)(a), in subsection (1)(b) and (c) the words from "running" onwards, and in subsection (2)(a) the words "one calendar year or" and "other".</p> <p>Section 3.</p> <p>In section 5, in subsection (1) the words from "in accordance" onwards, in subsection (3) the words from "and subject" to "this section", in subsection (4) the words from "in such manner" onwards, and subsections (5) and (6).</p> <p>In section 6(6), the words "if authorised so to do by the Minister".</p> <p>In section 8(4), the words "(not exceeding five shillings)".</p> <p>Section 9.</p> <p>In section 11(1), paragraph (a).</p> <p>In section 12, in subsection (1) the words "in which his business premises</p>

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Chapter	Short title	Extent of repeal
		are situated", and subsections (4), (7) and (8). In section 13(1), the words "issuing the licence" and "and the council which has registered it". In section 16(1), the words "(which shall not exceed five shillings)" in paragraph (b) and "(not exceeding five shillings)" in paragraph (e). Section 19(1) and (3). In section 21(2), the words from "in such manner" onwards. Sections 22 and 23(4). In section 24, the definition of "county" (including the provision relating to references to the council of a county) and subsection (5). In Schedule 7, the entry relating to the Road Traffic Act 1960.
1962 c. 59.	The Road Traffic Act 1962.	In section 4(1), the words from "in whose area" onwards Section 46.
1963 c. 33.	The London Government Act 1963.	Section 20. In Part I of Schedule 5, paragraph 24.
1964 c. 92.	The Finance (No. 2) Act 1964.	In section 9(6), the words "or in any Order in Council under that section".
1966 c. 18.	The Finance Act 1966.	In section 2(13)(a), the words "or in any Order in Council under that section".
1966 c. 51.	The Local Government (Scotland) Act 1966.	in section 35(3), the words from "'local authority'" to "and" in the second place where it occurs.