

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Coroners and Justice Act 2009, Paragraph 92 is up to date with all changes known to be in force on or before 25 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

SCHEDULES

SCHEDULE 21

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 9

DISQUALIFICATION FOR DRIVING

PROSPECTIVE

Road Traffic Offenders (Northern Ireland) Order 1996 (S.I. 1996/1320 (N.I. 10))

- 92 (1) The Road Traffic Offenders (Northern Ireland) Order 1996 is amended as follows.
- (2) In Article 35(4) (disqualification for certain offences), in sub-paragraph (b) after “or more” insert “ (disregarding any extension period added pursuant to Article 40A or Article 91A of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1))) ”.
- (3) In Article 36 (reduced disqualification period for attendance on courses)—
- (a) in paragraph (1)(b), after “months” insert “ (disregarding any extension period added pursuant to Article 40A) ”,
 - (b) in paragraph (2), after “Article 35” insert “ (disregarding any extension period added pursuant to Article 40A) (“the unreduced period”) ”,
 - (c) in paragraph (3), after “Article 35”, in both places it occurs, insert “ (disregarding any extension period added pursuant to Article 40A) ”,
 - (d) after that paragraph insert—
 - “(3A) The reduced period” is the period of disqualification imposed under Article 35 of this Order (disregarding any extension period added pursuant to Article 40A) as reduced by an order under this Article.”,
 - and
 - (e) in paragraph (5), at the end insert “ but including any extension period added pursuant to Article 40A. ”
- (4) In Article 37 (certificates of completion of courses)—
- (a) in paragraph (1), for “period of disqualification imposed under Article 35” substitute “ total unreduced period of disqualification ”,
 - (b) in paragraph (2)—
 - (i) for “period of disqualification imposed under Article 35” substitute “ total unreduced period of disqualification ”,
 - (ii) for “end of the period as it would have been reduced by the order” substitute “ total reduced period of disqualification ”, and

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- (iii) for “reduced period” substitute “ the total reduced period of disqualification ”, and
- (c) after that paragraph insert—
- “(2A) For the purposes of this Article—
- “the total reduced period of disqualification” means the period of disqualification imposed under Article 35 (including any extension period added to that period pursuant to Article 40A), as reduced by an order under Article 36;
- “the total unreduced period of disqualification” means the period of disqualification imposed under Article 35 (including any such extension period), disregarding any reduction by such an order.”
- (5) In Article 38A (as inserted by Article 60 of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)) (reduced disqualification period: alcohol ignition interlock programme orders)—
- (a) in paragraph (1)(d), after “Article” insert “ and disregarding any extension period added pursuant to Article 40A ”,
- (b) in paragraph (3), after “specify” insert “ as the period of disqualification under Article 35 (disregarding any extension period added pursuant to Article 40A) ”,
- (c) after paragraph (5) insert—
- “(5A) An appropriate extension period (within the meaning of Article 40A) is not to be added to the further order referred to in paragraph (5).”,
- (d) in paragraph (6)—
- (i) in sub-paragraph (a), for “unreduced period” substitute “ total unreduced period of disqualification ”, and
- (ii) in sub-paragraph (b), for “reduced period” substitute “ total reduced period of disqualification ”, and
- (e) after that paragraph insert—
- “(6A) In paragraph (6)—
- “total reduced period of disqualification” means the period of disqualification imposed under Article 35 (including any extension period added to that period pursuant to Article 40A), as reduced by an order under this Article;
- “total unreduced period of disqualification” means the period of disqualification imposed under Article 35 (including any such extension period), disregarding any reduction by such an order.”
- (6) In Article 40(3) (disqualification for repeated offences), after “or more” insert “ (disregarding any extension period added pursuant to Article 40A or Article 91A of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1))) ”.
- (7) In Article 42 (effect of order of disqualification)—
- (a) in paragraph (2)(a), after “56 days” insert “ (disregarding any extension period) ”,

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(b) in paragraph (2), after “period of disqualification” insert “ (including any extension period) ”, and

(c) after paragraph (2) insert—

“(2A) In paragraph (2) “extension period” means an extension period added pursuant to—

- (a) Article 40A,
- (b) Article 8A of the Criminal Justice (Northern Ireland) Order 1980 (S.I. 1980/704 (N.I. 6)), or
- (c) Article 91A of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)).”

(8) In Article 47 (removal of disqualification)—

(a) in paragraph (3)—

- (i) for “the date of the order by which the disqualification was imposed” substitute “ the relevant date ”,
- (ii) in sub-paragraph (a), after “4 years” insert “ (disregarding any extension period) ”, and
- (iii) in sub-paragraph (b), for “period of disqualification, if it is” substitute “ period of disqualification (disregarding any extension period), if the disqualification is (disregarding any extension period) ”,

(b) after paragraph (3) insert—

“(3A) In paragraph (3) “the relevant date” means—

- (a) the date of the order imposing the disqualification in question, or
- (b) if the period of the disqualification is extended by an extension period, the date in sub-paragraph (a) postponed by a period equal to that extension period.”, and

(c) after paragraph (3A) (as inserted by paragraph (b)), insert—

“(3B) Extension period” means an extension period added pursuant to—

- (a) Article 40A,
- (b) Article 8A of the Criminal Justice (Northern Ireland) Order 1980 (S.I. 1980/704 (N.I. 6)), or
- (c) Article 91A of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)).”

(9) In Article 52 (supplementary provisions as to disqualification and endorsements)—

(a) in paragraph (2), after “or more” insert “ (disregarding any extension period) ”, and

(b) after paragraph (2), insert—

“(2ZA) In paragraph (2) “extension period” means an extension period added pursuant to—

- (a) Article 40A,
- (b) Article 8A of the Criminal Justice (Northern Ireland) Order 1980 (S.I. 1980/704 (N.I. 6)), or
- (c) Article 91A of the Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)).”

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

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

- s. 11A and cross-heading inserted by [2023 c. 41 Sch. 11 para. 1\(1\)](#)
- Sch. 1A inserted by [2023 c. 41 Sch. 11 para. 1\(2\)](#)