

## SCHEDULE 4

Regulation 5

### MINOR AND CONSEQUENTIAL AMENDMENTS TO OTHER ENACTMENTS

1. In section 44 of the Powers of Criminal Courts Act 1973 (driving disqualification where vehicle used for purposes of crime)(1), at the end of subsection (3)(2) there shall be inserted “or, in the case where he holds a Community licence (within the meaning of Part III of the Road Traffic Act 1988), his Community licence and its counterpart (if any)”.

2.—(1) The Local Government (Miscellaneous Provisions) Act 1976(3) shall be amended as follows.

(2) In section 51 (licensing of drivers of private hire vehicles)(4) in subsection (1), for paragraph (b) there shall be substituted—

“(b) to any person who has not for at least twelve months been authorised to drive a motor car, or is not at the date of the application for a driver’s licence so authorised.”

(3) After subsection (1) of that section there shall be inserted—

“(A) For the purposes of subsection (1) of this section a person is authorised to drive a motor car if—

(a) he holds a licence granted under Part III of the Road Traffic Act 1988 (not being a provisional licence) authorising him to drive a motor car, or

(b) he is authorised by virtue of section 99A(1) of that Act to drive in Great Britain a motor car.”

(4) In section 59 (qualifications for drivers of hackney carriages), in subsection (1), for paragraph (b) there shall be substituted—

“(b) to any person who has not for at least twelve months been authorised to drive a motor car, or is not at the date of the application for a driver’s licence so authorised.”

(5) After subsection (1) of that section there shall be inserted—

“(1A) For the purposes of subsection (1) of this section a person is authorised to drive a motor car if—

(a) he holds a licence granted under Part III of the Road Traffic Act 1988 (not being a provisional licence) authorising him to drive a motor car, or

(b) he is authorised by virtue of section 99A(1) of that Act to drive in Great Britain a motor car.”

3. In Schedule 1 to the Energy Act 1976(5) (relaxations of road traffic and transport law permissible under section 4(2)), for paragraph 2(6) there shall be substituted—

“2.—(1) A person acting under and in accordance with such an authority may—

(a) drive a passenger-carrying vehicle notwithstanding that his licence does not authorise him to do so; or

(b) cause or permit to drive any such vehicle a person whose licence does not so authorise him.

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(1) 1973 c. 62.

(2) Amended by the 1990 Regulations.

(3) 1976 c. 57.

(4) Sections 51 and 59 were amended by paragraph 16(3) and (4) of Schedule 3 to the Road Traffic (Consequential Provisions) Act 1988 (c. 54) and section 47(1) of the 1991 Act.

(5) 1976 c. 76.

(6) Substituted by paragraph 1 of Schedule 3 to the 1989 Act.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) In this paragraph—

“Community licence” has the same meaning as in Part III of the Road Traffic Act 1988;

“licence” means a licence under that Part or a Community licence; and

“passenger-carrying vehicle” has the same meaning as in Part IV of that Act.”

4. In section 24 of the Public Vehicles Act 1981<sup>(7)</sup> (regulation of conduct of drivers etc.), at the end of subsection (2)<sup>(8)</sup> there shall be inserted “or, as the case may be, the counterpart (if any) of his Community licence (within the meaning of that Part).”

5.—(1) The Road Traffic (New Drivers) Act 1995<sup>(9)</sup> shall be amended as follows.

(2) In section 1 (probationary period for newly qualified drivers), in subsection (2)(b), for the words from “another” onwards there shall be substituted—

“(i) another EEA State,

(ii) the Isle of Man,

(iii) any of the Channel Islands, or

(iv) Gibraltar.”

(3) In section 9 (interpretation etc), in subsection (4), for the words from “as it applies” onwards there shall be substituted “as it applies to a notice served under Part III or IV of that Act”.

6.—(1) Section 248 of the Criminal Procedure (Scotland) Act 1995 (disqualification where vehicle used for purposes of offence)<sup>(10)</sup> shall be amended as follows.

(2) For subsection (2) there shall be substituted—

“(2) A court which makes an order under subsection (1) above disqualifying a person from holding or obtaining a licence under Part III of the Road Traffic Act 1988 shall require him to produce—

(a) any such licence;

(b) any Community licence (within the meaning of that Part); and

(c) any counterpart of a licence mentioned in paragraph (a) or (b) above,

held by him.”

(3) In subsection (4), after “licences” there shall be inserted “, other than Community licences”.

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(7) 1981 c. 14.

(8) Amended by paragraph 2 of Schedule 3 to the 1989 Act.

(9) 1995 c. 13.

(10) 1995 c. 46.