
STATUTORY INSTRUMENTS

2012 No. 2938

**The Road Safety Act 2006 (Commencement
No.9 and Transitional Provisions) Order 2012**

Transitional provisions

3.—(1) Subject to paragraph (2), sections 34B and 34C(1) of the 1988 Act apply in accordance with paragraph (3) to a course which was approved for the purposes of section 34A of the 1988 Act before 21st December 2012 (“an old course”).

(2) Sections 34B and 34C(1) of the 1988 Act do not apply to an old course pursuant to paragraph (1) unless that course remained approved immediately before 24th June 2013.

(3) Sections 34B and 34C(1) of the 1988 Act apply to an old course until 18th August 2013 and for that purpose—

- (a) the course is treated as having been approved by the appropriate national authority under section 34BA of the 1988 Act; and
- (b) the person who was, before 24th June 2013, the course organiser is treated as the course provider.

(4) For the purposes of the application of section 34B of the 1988 Act pursuant to paragraphs (1) to (3)—

- (a) references to “certificate” or “notice” include a certificate or notice (as the case may be) given under section 34B as that section was in force immediately before 24th June 2013;
- (b) references to “the unreduced period” include a period of disqualification imposed under section 34B as that section was in force immediately before 24th June 2013 and references to “the reduced period” include the period of disqualification so imposed as reduced by an order made under that section as then in force; and
- (c) references to “the order” include an order made under section 34A of the 1988 Act as that section was in force immediately before 24th June 2013 and, in relation to such an order, references to “the supervising court” have the meaning given in section 34C(2) of the 1988 Act as that section was in force immediately before 24th June 2013.

(5) For the purposes of the application of subsection (1) of section 34C of the 1988 Act pursuant to paragraphs (1) to (3) the references to guidance given under that subsection are to guidance given under section 34C(1) as that section was in force immediately before 24th June 2013.