



Statutory Document No.106/93

THE ROAD TRAFFIC ACT 1985

THE ROAD TRAFFIC (DRINK-DRIVING REHABILITATION COURSES) REGULATIONS 1993

Approved by Tynwald on 6th April 1993
Coming into operation on 1st May 1993

In exercise of the powers conferred on the Treasury by paragraphs 11(6) and 22(1) of Schedule 3 to the Road Traffic Act 1985(a), and of all other enabling powers, the following Regulations are hereby made:-

Citation commencement and interpretation

1. (1) These Regulations may be cited as the Road Traffic (Drink-driving Rehabilitation Courses) Regulations 1993 and, subject to section 74(3) of the Act, shall come into operation on the 1st May, 1993.

(2) In these Regulations -

"the Act" means the Road Traffic Act 1985;

"certificate" means a certificate that a convicted person has completed a course;

"convicted person" means a person disqualified under paragraph 11(6) of Schedule 3 to the Act;

"course" means a course of instruction or education on the effects of alcohol in relation to the driving of motor vehicles.

Designation of courses

2. (1) The Treasury may by a notice in writing to the person by whom a course is or is to be conducted designate the course for the purpose of paragraph 11(6) of Schedule 3 to the Act.

(2) The Treasury shall not designate a course under this regulation unless it is satisfied that the course is suitable for that purpose, having regard to -

(a) the qualifications and experience of the person by whom the course is or is to be conducted and of any other persons engaged or to be engaged in conducting it;

(a) 1985 c.23

Price 40p

- (b) the frequency with which the course is held;
- (c) the content of the course;
- (d) the number and length of the sessions comprised in the course; and
- (e) the charges to be made for attending the course.

(3) The Treasury shall maintain a register of courses for the time being designated under this regulation, containing particulars of the person by whom each course is conducted and such other particulars as it considers appropriate, and shall make the register available for inspection at its principal office by any person free of charge at all reasonable hours.

(4) The Treasury, if it ceases to be satisfied that a designated course is suitable for the purpose of paragraph 11(6) of Schedule 3 to the Act, shall, by notice in writing to the person by whom a course is conducted or, if that is not practicable, by a notice published in a newspaper published and circulating in the Island, withdraw the designation of the course, and shall amend the register maintained under paragraph (3) accordingly.

Certification of completion of course

3. (1) A certificate that a convicted person has completed a course shall be in writing in the form specified in the Schedule.

(2) A certificate shall be signed -

- (a) in the case of a course conducted by a probation officer, by any probation officer;
- (b) in any other case, by the person by whom the course is conducted or by some other person authorised in writing by the Treasury to sign the certificate on that person's behalf.

(3) If a person specified in paragraph (2)(a) or (b) fails or refuses to give a certificate, the convicted person may appeal to the Treasury, and if the Treasury is satisfied that he has completed the course in question, an officer authorised for the purpose by the Treasury may give a certificate.

(4) For the purpose of paragraph 11(6) of Schedule 3 to the Act, a convicted person shall not be treated as having completed a course unless either -

- (a) he has attended all the sessions comprised in the course; or
- (b) he has attended at least three-quarters of the sessions comprised in one course, and has attended on a subsequent course conducted by the same person the session or sessions equivalent to those which he missed on the first course.

Regulation 3(1).

SCHEDULE

FORM OF CERTIFICATE

Road Traffic Act 1985

CERTIFICATE OF COMPLETION OF DRINK-DRIVING REHABILITATION COURSE

I certify that _____ (name)

of _____ (address)

on _____ completed a course of instruction or (date)

education on the effects of alcohol in relation to the driving of motor vehicles designated under the Road Traffic (Drink-Driving Rehabilitation Courses) Regulations 1993.

Signed _____

Date _____ 199 _____ (qualification)

Made this 3rd day of March, 1993

Minister for the Treasury

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned below the text 'Minister for the Treasury'.

Explanatory Note

(This note is not part of the Order)

This Order brings into force the provisions of the Road Traffic (Excess Alcohol) Act 1991.