1991 No. 98

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 1991

Made	*20th March 1991*
Coming into operation . .	*1st April 1991*

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2)(**a**), 5(1) and (3), 11(4), 13(1) and (3), 17(2), 19C(1), and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**b**) and of all other powers enabling it in that behalf, and with the approval of the Department of Finance and Personnel(**c**) as regards regulation 2(4) and 2(10), makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 1st April 1991.

Regulations amended

2. The Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1989(**d**) are amended as follows—

(1) In regulation 2(1) (interpretation) in the definition of "licence" after the word "Order" insert "other than a large goods vehicle or passenger-carrying vehicle driver's licence as defined in Article 70 of the Order".

(2) In regulation 3 (minimum ages for holding or obtaining licences)—

(*a*) in paragraph (1)(*g*)(ii) insert after the words ''heavy goods vehicle (hgv) of a class'' the words ''or a large goods vehicle (lgv) of a category'', after the word ''owned'' the words ''or operated'' and after the term ''hgv'' the term ''or lgv'';

(*b*) in paragraph (1)(i) for the words ''heavy goods vehicles of any class in preparation for a test of competence prescribed under Article 76 of the Order to drive vehicles of that class'' substitute the words ''large goods vehicles of any category in preparation for a test of competence prescribed under Article 77 of the Order to drive vehicles of that category''; and

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(**a**) *See* the definitions of "Department" and "prescribed"
(**b**) S.I. 1981/154 (N.I. 1); Articles 5(1) and (3), 11(4), 13(1) and (3), 17(2) and 19C were substituted by Sch. 1 to S.I. 1991/197 (N.I. 3)
(**c**) Formerly the Department of Finance. *See* S.I. 1982/338 (N.I. 6) Art. 3
(**d**) S.R. 1989 No. 238 as amended by S.R. 1990 No. 311 and S.R. 1990 No. 412

(*c*) in paragraph (5)—

(i) in the definition of ''the Training Committee'' insert at the end the words ''or the National Joint Training Committee for Young LGV Drivers in the Road Goods Transport Industry''; and

(ii) in the definition of ''the training scheme'' insert after ''hgvs'' the words ''or lgvs'' and after ''hgv'', in each place where it occurs, the words ''or lgv''.

(3) For regulation 4 (grant of licences) substitute the following regulation—

"*Grant of licences*

4.—(1) An application for the grant of a licence may be received and dealt with at any time within two months before the date on which the grant of the licence is to take effect.

(2) For the purposes of Article 5(1)(*f*) of the Order the period of normal residence in Northern Ireland or, as the case may be, the United Kingdom, during which the holder of an exchangeable licence shall be eligible for the grant of a licence is one year.".

(4) In regulation 6 (fees for licences) —

(*a*) in paragraph (1) delete the words "on or after 7th August 1989" and for "£6·00" substitute "£8·00"; and

(*b*) in paragraph (2) for "£4·00" substitute "£6·00".

(5) In regulation 8 (conditions attached to provisional licences) in sub-paragraph (2)(*a*) delete the words "or a test of competence to drive heavy goods vehicles under Article 76 of the Order".

(6) In regulation 12 (lost or defaced licences) —

(*a*) for paragraph (1) substitute —

"(1) If the holder of a licence—

(*a*) satisfies the Department that—

(i) the licence or its counterpart has been lost or defaced; and

(ii) the holder is entitled to continue to hold the licence; and

(*b*) pays the fee prescribed in regulation 6, the Department shall on surrender of any licence or counterpart that has not been lost, issue to him a duplicate licence and counterpart and shall endorse upon the counterpart any particulars endorsed upon the original licence or counterpart as the case may be and the duplicate so issued shall have the same effect as the original."; and

(*b*) after paragraph (2) insert—

"(3) The obligation in paragraph (2) shall apply in respect of the counterpart of a licence as if for the words "original licence" in each place where they occur there were substituted the words "original counterpart"."

(7) In regulation 21 (diseases and physical disabilities) after paragraph (6) insert—