1971. No. 137 **[C]**

HEAVY GOODS VEHICLES (DRIVERS' LICENCES)

REGULATIONS, DATED 14TH MAY 1971, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTIONS 70(1), 70(2) AND 71 OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1970.

The Ministry of Home Affairs in exercise of the powers vested in it by sections 70(1), 70(2) and 71 of the Road Traffic Act (Northern Ireland) 1970(**a**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Heavy Goods Vehicles (Drivers' Licences) (Amendment) Regulations (Northern Ireland) 1971.

2. The Heavy Goods Vehicles (Drivers' Licences) Regulations (Northern Ireland) 1970(**b**) shall have effect as though—

(1) in Regulation 2(1) there were added the following definitions:—

" "Great Britain (ordinary) driving licence" means a licence to drive a motor vehicle granted under the law for the time being in force in Great Britain that corresponds to Part I of the Act not being a licence granted in consequence of a dispensation from passing a test of competence to drive by reason of an applicant's residence outside the United Kingdom;

"Great Britain hgv driver's licence" means a licence to drive heavy goods vehicles granted under the law for the time being in force in Great Britain that corresponds to Part IV of the Act not being a licence granted in consequence of a dispensation from passing a test of competence to drive by reason of the applicant's residence outside the United Kingdom.";

(2) in Regulation 3—

(*a*) in paragraph (1)(*c*), after the words "Regulation 24(1) applies", there were inserted the words "(unless the Ministry is satisfied that he has an immediate need to drive heavy goods vehicles in Great Britain)";

(*b*) in paragraph (1)(*d*)(iii) at the end there were added the words "or his Great Britain (ordinary) driving licence"; and

(*c*) in paragraph (3)—

(i) in sub-paragraph (*a*) at the end there were added the words "or a Great Britain hgv driver's licence which has been suspended whether (in either case) the suspension has effect under Part IV of the Act or under the law for the time being in force in Great Britain that corresponds to the said Part IV",

(ii) in sub-paragraph (*b*) at the end there were added the words "or a Great Britain hgv driver's licence whether (in either case) the disqualification has effect under Part IV of the Act or under the law for the time being in force in Great Britain that corresponds to the said Part IV",

(a) 1970. c. 2 (N.I.). (b) S.R. & O. (N.I.) 1970, No. 40.

(iii) in sub-paragraph (*c*) at the end there were added the words "is disqualified by a court in Great Britain for holding or obtaining a Great Britain (ordinary) driving licence, or," and

(iv) in sub-paragraph (*d*) at the end there were added the words "or (on and after 1st July 1971) would hold a hgv driver's licence and a Great Britain hgv driver's licence,";

(3) in Regulation 4, in paragraph (*d*), after the words "Part I of the Act" there were inserted the words "or a Great Britain (ordinary) driving licence in either case";

(4) for Regulation 5 there were substituted the following Regulation:—

"*Issue of licences*

5. Where an applicant for a hgv driver's licence—

(*a*) holds a licence granted under Part I of the Act which contains a provision under section 4(2)(*b*) of the Act limiting the applicant to the driving of vehicles of a particular construction or design only; or

(*b*) holds a Great Britain (ordinary) driving licence which contains a similar provision under the law for the time being in force in Great Britain that corresponds to the said section 4(2)(*b*),

any full licence granted to the applicant to drive a heavy goods vehicle shall contain a corresponding limitation.";

(5) after Regulation 5 there were added the following Regulation:—

"*Conditions of issue of licence*

5A. If it appears reasonable the Ministry may require the production of a medical certificate at any time during the currency of a hgv driver's licence.";

(6) in Regulation 6, at the end of paragraph (2), there were added the words "provided that application is made to the Ministry within one month of the expiration of the licence.";

(7) in Regulation 9, at the end of paragraph (3), there were added the words "and none of the conditions specified in the said paragraph (2) shall apply in relation to the driving of a heavy goods vehicle of any class where the holder of the licence has passed a test for a vehicle of that class.";

(8) in Regulation 11—

(*a*) in the heading at the end there were added the words "*or of a Great Britain (ordinary) driving licence*";

(*b*) in paragraph (1) after the words "section 4 of the Act" there were inserted the words "or if he is disqualified under the law for the time being in force in Great Britain for holding or obtaining a Great Britain (ordinary) driving licence or if such a licence is refused or revoked under any provision of that law that corresponds to the said section 4"; and

(*c*) in paragraph (2) after the words "under Part I" there were inserted the words "or, as the case may be, of his Great Britain (ordinary) driving licence";