1970. No. 35 **[C]**

MOTOR VEHICLES

Driving Licences

REGULATIONS, DATED 26TH FEBRUARY 1970, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER PART I AND SECTION 189 OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1970.

The Ministry of Home Affairs, in exercise of the powers vested in it by Part I and Section 189 of the Road Traffic Act (Northern Ireland) 1970(**a**), and of all other powers in that behalf enabling it, with the approval of the Ministry of Finance for Northern Ireland in regard to the provisions contained in Regulation 3(2)(*c*), hereby makes the following Regulations:—

Citation and Commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 1970 and shall come into operation on 1st April 1970.

Revocation

2. The Motor Vehicles (Driving Licences) (Amendment) (No. 2) Regulations (Northern Ireland) 1968(**b**) are hereby revoked.

Regulations amended

3. The Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1965(**c**) shall have effect as though:—

(1) In Regulation 2(1) the following definitions were added—

"(*j*) "agricultural tractor" means a motor tractor used primarily for work on land in connection with agriculture;

(*k*) "vehicle with automatic transmission" means a vehicle in which the driver is not provided with any means whereby he may, independently of the use of the accelerator or the brakes, vary gradually the proportion of the power being produced by the engine which is transmitted to the road wheels of the vehicle."

(2) In regulation 3—

(*a*) in paragraph (5) the words "or a licence issued to a person as resident outside the United Kingdom" were deleted and the words "Part I" were substituted for the words "Part II";

(*b*) paragraph (6) were deleted;

(*c*) for paragraph (9) there were substituted the following paragraph:—

"(9) The fee to be paid to a licensing authority for the grant or renewal of a licence, other than a provisional licence, shall be £1";

(*d*) paragraph (10) were deleted; and

(*e*) in paragraph (11) the words "or a licence issued to a person as resident outside the United Kingdom" were deleted.

(a) 1970. c. 2 (N.I.).
(b) S.R. & O. (N.I.) 1968, No. 169.
(c) S.R. & O. (N.I.) 1965, No. 42.

(3) For Regulations 6 and 7 there were substituted the following Regulations—

"*Testing Authorities*

6. The following shall be testing authorities for the purpose of these Regulations:—

(*a*) The Ministry.

(*b*) The Minister of Defence and the Inspector General of the Royal Ulster Constabulary in so far as concerns persons employed or to be employed by one or other of them to drive motor vehicles.

(*c*) Any person or body appointed by the Ministry in respect of such categories of persons as the Ministry may specify.

Driving Examiners

7.—(1) Any person or body authorised by paragraphs (*b*) or (*c*) of the preceding Regulation to conduct tests may, subject to the approval of the Ministry, authorise suitable persons to act as examiners of those who submit themselves for test.

(2) The Ministry may at any time revoke an appointment made by it under paragraph (*c*) of the preceding Regulation and the authority to conduct tests shall thereupon cease."

(4) For Regulation 9 there were substituted the following Regulation—

"*Production of vehicle for test, etc.*

9.—(1) A person submitting himself for test shall—

(*a*) provide for the purposes of the test a motor vehicle, which—

(i) is suitable for the purposes of the test,

(ii) is not fitted with a device designed to permit a person other than the driver to operate the accelerator, unless any pedal or lever by which the device is operated and any other parts which it may be necessary to remove to make the device inoperable by such a person during the test have been removed;

(*b*) produce to the examiner who is to conduct his test, his licence or other driving permit by virtue of which he is entitled to drive in Northern Ireland.

(2) Where a person submitting himself for a test fails to produce a vehicle or a vehicle which complies with the foregoing paragraph or fails to produce his licence as aforesaid the examiner may refuse to conduct the test."

(5) For paragraph (3) of Regulation 10 there were substituted the following paragraph—

"(3) The fee to be paid upon application for an appointment for a test conducted by the Ministry shall be 2/6 if the test relates only to vehicles in Group J of the Second Schedule and £1 15s. 0d. in any other case and shall be paid to the Ministry or to such other person as the Ministry may require. No fee shall be payable in respect of a test conducted by persons or bodies authorised in paragraphs (*b*) or (*c*) of Regulation 6."

(6) Regulation 11 were deleted.

(7) In Regulation 14(1) for the words "two shillings and sixpence" there were substituted the words "five shillings".

(8) Regulation 17 were deleted.

(9) Part II of the First Schedule were deleted.

(10) For the Second Schedule there were substituted Schedule 1 to these Regulations.

(11) For the Third Schedule there were substituted Schedule 2 to these Regulations.

4.—(1) Nothing in these Regulations shall be taken as altering the classes or descriptions of vehicles in respect of which a person who has held a licence before the coming into operation of these Regulations is entitled to be granted a licence.

(2) An applicant for a driving licence who has passed a test of competence to drive before the date of the coming into operation of these Regulations shall for the purposes of the Road Traffic Act (Northern Ireland) 1970 and of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1965 be deemed to be competent to drive a vehicle of any class or description which he was deemed to be competent to drive before that date by virtue of the Regulations in operation before that date.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 26th day of February 1970.

(L.S.) *W. G. Robinson,*
Assistant Secretary.

The Ministry of Finance hereby approves of paragraph (2)(*c*) of Regulation 3.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 2nd day of March 1970.

(L.S.) *C. F. Darling,*
Assistant Secretary