1969. No. 350 **[C]**

ROAD VEHICLES

Registration and Licensing

REGULATIONS, DATED 30TH DECEMBER 1969, MADE BY THE MINISTRY OF DEVELOPMENT UNDER THE VEHICLES (EXCISE) ACT (NORTHERN IRELAND) 1954.

The Ministry of Development for Northern Ireland in exercise of the powers conferred upon it by the Vehicles (Excise) Act (Northern Ireland) 1954(a), and every other power thereunto enabling it hereby makes the following Regulations:—

1. These Regulations may be cited as the Road Vehicles (Registration and Licensing) (Amendment) Regulations (Northern Ireland) 1969, and shall come into operation on the 1st January 1970.

2. The Road Vehicles (Registration and Licensing) (Northern Ireland) Regulations 1947(b) shall be amended as follows:—

(1) In regulation 1(3) the following definition shall be substituted for the definitions of "General Trade Licence" and "Limited Trade Licence":—

"The expression "trade licence" means a licence to which section 10 of the Vehicles (Excise) Act (Northern Ireland) 1954 relates."

and the said Regulations shall have effect as though the expression "trade licence" was substituted for "General Trade Licence" and "Limited Trade Licence" wherever they occur.

(2) for Part II (regulations 29 and 30) there shall be substituted the following Part:—

"PART II

TRADE LICENCES

29A. For the purposes of section 10 of the Vehicles (Excise) Act (Northern Ireland) 1954 the prescribed manner for—

(*a*) a motor trader to make an application to take out a trade licence for all mechanically propelled vehicles which are from time to time temporarily in his possession in the course of his business as a motor trader and all recovery vehicles kept by him for the purpose of dealing with disabled vehicles in the course of that business, or

(*b*) a vehicle tester to make an application to take out a trade licence for all mechanically propelled vehicles which are from time to time submitted to him for testing in the course of his business as a vehicle tester,

shall be to furnish the particulars and to make the declaration on form RF.(7) to the Council of the county in which his business premises are situated.

(a) 1954. c. 17. (b) S.R. & O. (N.I.) 1947, No. 167.

Form of Trade Licences

29B. Each trade licence issued by a Council shall contain the following particulars:—

(*a*) the name and business address of the person to whom the licence is issued;

(*b*) the general registration mark assigned to that person;

(*c*) the date of expiry of the licence;

(*d*) the amount of duty paid;

(*e*) the serial number of the licence;

(*f*) the date stamp of the office of issue.

Notification of change of address etc.

29C. If the holder of a trade licence changes the name of his business or his business address he shall notify this fact and the new name or address forthwith to the Council by which the licence was issued and shall at the same time send to that Council the licence for any necessary amendment.

Issue of trade plates and replacements therefor

29D.—(1) A Council shall issue to every holder of a trade licence in respect of that licence two plates (in these Regulations referred to as "trade plates") appropriate to the class of vehicles on which they will be used showing the general registration mark assigned to the holder of the licence, and one of the plates so issued shall contain means whereby the licence may be fixed thereto:

Provided that where the holder of a trade licence satisfies the Council by which it was issued that the vehicles which he will use by virtue of the licence include vehicles which would otherwise be liable to duty under Schedule 1 to the Vehicles (Excise) Act (Northern Ireland) 1954 and other vehicles he shall be entitled to be issued free of charge with two additional trade plates in respect of the vehicles first mentioned in this proviso.

(2) Each trade plate shall remain the property of the Council by which it was issued, and shall be returned forthwith to the Council if the person to whom it was issued no longer holds a trade licence which is in force or if that person ceases to be a motor trader or a vehicle tester.

(3) If a trade plate issued by a Council to the holder of a trade licence is lost, destroyed, mutilated or defaced or the figures and particulars thereon have become illegible or the colour of the plate has become altered by fading or otherwise, the holder shall apply to the Council by which the plate was issued for the issue to him of a replacement for that plate, and the Council upon being satisfied as to such loss, destruction, mutilation, defacement, illegibility or alteration as aforesaid and, upon the receipt of the plate except where the plate has been lost or destroyed, shall issue a replacement for the plate on payment of a fee of eighteen shillings if the plate was issued in respect of vehicles otherwise liable to duty under Schedule 1 to the Vehicles (Excise) Act (Northern Ireland) 1954 or a fee of twenty-seven shillings in any other case; and the replacement so issued shall have the same effect as the plate which it replaces:

Provided that where the Council are satisfied that the figures or particulars have become illegible or the colour of the plate has become altered by fading or otherwise without any act or neglect on the part of the holder of the trade licence they shall issue a replacement free of charge.

(4) In the case of the loss of any trade plate, if at any time after the issue of a replacement the original plate is found, the holder of the trade licence, if the plate is in his possession, shall forthwith return it to the Council which issued the replacement therefor, or if it is not in his possession but he becomes aware that it is found, shall take all reasonable steps to obtain possession of it and if successful shall forthwith return it to the said Council so, however, that if possession is not obtained, such fact shall be notified to the Council by the holder of the licence, without delay.

Alteration of trade plates and similar offences

29E.—(1) No person shall alter, deface, mutilate or add anything to any trade plate or exhibit upon any mechanically propelled vehicle any trade plate which has been altered, defaced, mutilated or added to as aforesaid or upon which the figures or particulars have become illegible or the colour has become altered by fading or otherwise.

(2) No person shall exhibit on any mechanically propelled vehicle anything which could be mistaken for a trade plate.

Exhibition of trade plates and licences

29F. No person shall use a vehicle on a public road by virtue of a trade licence except in accordance with the following provisions:—

(*a*) there shall be fixed to and displayed on the vehicle the trade plates issued by the Council which issued the trade licence in such a manner that, if the trade plates contained a registration mark assigned to the vehicle, the provisions of regulation 26 would be complied with, notwithstanding the vehicle may not have been first registered on or after 1st January 1948;

(*b*) where in accordance with the provisions of the preceding paragraph a trade plate is required to be fixed to the front of a vehicle, the trade plate so fixed shall be that containing means for fixing the licence thereto, and the trade licence shall be fixed to the vehicle by means of that plate and exhibited on that plate so as to be at all times clearly visible by daylight.

Restriction on use of trade plates and licences

29G. No person, not being the holder of a trade licence, shall use on a public road a vehicle on which there is displayed a trade plate or a trade licence, so however, that nothing in the regulation shall apply so as to prevent a person with the consent of the holder of the trade licence from driving a vehicle when the vehicle is being used on a public road by virtue of a trade licence and by the holder thereof.

Purposes for which a vehicle may be used

29H.—(1) In this regulation, "business purpose", in relation to a motor trader means—

(*a*) a purpose connected with his business as a manufacturer or repairer of or dealer in mechanically propelled vehicles, or

(*b*) a purpose connected with his business as a manufacturer or repairer of or dealer in trailers carried on in conjunction with his business as a motor trader.