Driving Licences

REGULATIONS DATED 13TH SEPTEMBER, 1956, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTIONS TWENTY-ONE, SIXTY-SIX AND SEVENTY-TWO OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND), 1955(a).

1956. No. 142 [C]

The Ministry of Home Affairs, in exercise of the powers vested in it by Sections Twenty-one, Sixty-six and Seventy-two of the Road Traffic Act (Northern Ireland), 1955(a), and of all other powers in that behalf enabling it, hereby makes the following Regulations:—

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) Regulations (Northern Ireland), 1956, and shall come into operation on the 1st day of October, 1956.

2.—(1) In these Regulations the expression—

(*a*) "The Act" means the Road Traffic Act (Northern Ireland), 1955;

(*b*) "Convention Driving Permit" has the meaning assigned to it by Article 1(6) of the Motor Vehicles (International Circulation) (Road Traffic) (Northern Ireland) Order, 1955(b);

(*c*) "Domestic Driving Permit" has the meaning assigned to it by Article 1(6) of the Motor Vehicles (International Circulation) (Road Traffic) (Northern Ireland) Order, 1955;

(*d*) "Licence" includes a driving licence issued under Section 13 of the Act and a provisional licence within the meaning of the Act;

(*e*) "Licensing authority" means the council of a county or county borough in Northern Ireland;

(*f*) "Local Taxation Officer" means the selected officer or officers of a council of a county or county borough to whom powers and duties relating to the registration and licensing of motor vehicles have been delegated by the Council;

(*g*) "The test" means the test of competence to drive a motor vehicle provided for by Section 13(1) of the Act.

(2) The Local Taxation Officer of a Licensing Authority is empowered to perform any duty or exercise any power of the Licensing Authority for the purposes of carrying these Regulations into effect.

(a) 1955. Ch. 27. (b) S.R. & O. (N.I.) 1955, No. 114.

(3) The Motor Car (Licensing of Drivers) Regulations, 1927(a), the Motor Car (Licensing of Drivers) Amendment Regulations, 1927(b), and the Motor Car (Licensing of Drivers) Amendment Regulations, 1928(c), are hereby revoked.

3.—(1) Any person resident in Northern Ireland who desires to obtain a licence shall apply to the licensing authority of the area in which he resides in the form set out in Part I of the First Schedule and shall furnish the particulars and make the declaration specified therein.

(2) Any person not resident in Northern Ireland who, not being the holder of a valid Convention Driving Permit or a Domestic Driving Permit, desires to obtain a licence on his arrival in Northern Ireland shall apply to any licensing authority and supply such documents or other information as the licensing authority may require.

(3) Any application for a licence shall be accompanied by two unmounted duplicate photographs of the applicant of recent date, approximately $2'' \times 1\frac{1}{2}''$ in size and endorsed with the applicant's name and address. Provided that a licence may be granted to a member of the Naval, Military or Air Forces of Her Majesty without requiring him to furnish any photographs, but such licence shall empower him to drive a motor vehicle only when he is in uniform and the motor vehicle is the property of the Crown.

(4) The licensing authority shall affix one of the photographs furnished by the applicant to the licence granted to him and the other photograph to the form of application furnished by him.

(5) A licence, other than a provisional licence, shall be valid for twelve months from the date on which it takes effect and thereafter may be renewed from time to time for a further period of twelve months if application is made to the licensing authority in whose area the applicant resides in the form set out in Part II of the First Schedule within one month of the expiration of the licence or of the last period of renewal thereof.

Provided that if the licence has already been renewed four times the applicant shall make a fresh application for a licence in accordance with paragraph (1) or paragraph (2).

(6) An application for the grant or renewal of a licence may be declined if it is received more than one month before the date on which the licence or renewal is required to take effect.

(7) A fee of 5/- shall be paid to the licensing authority before an applicant is entitled to receive a licence or to have his licence renewed.

(a) S.R. & O. (N.I.) 1927, No. 57.
(b) S.R. & O. (N.I.) 1927, No. 113.
(c) S.R. & O. (N.I.) 1928, No. 56.

4.—(1) For the purposes of the Act and of these Regulations, a person shall be deemed to have passed the test of competence to drive a motor vehicle of a particular class or description if he has been tested by a testing authority on a motor vehicle of that class or description and if he has satisfied the person conducting the test—

(*a*) that he is fully conversant with the contents of the Highway Code;

(*b*) generally, that he is competent to drive, without danger to and with due consideration for other users of the road, a motor vehicle of the same class or description as that on which he is tested; and

(*c*) that he is able to comply with such of the additional requirements specified in the Third Schedule as are enumerated in the second column of the Second Schedule opposite to the Group containing the class or description of motor vehicle in respect of which he is being tested:

Provided that if in the case of a disabled driver his test proves his ability to drive motor vehicles of a particular construction or design only, he shall not be deemed to have failed to pass the test by reason only of the fact that he was not tested on a motor vehicle of that construction or design.

(2) A person who has passed the test of competence to drive a class or description of motor vehicle comprised in any one of the Groups specified in the first column of the Second Schedule shall be deemed also to have passed the test of competence to drive any other class or description of motor vehicle comprised in that Group or specified opposite to the first-mentioned Group in the third column of the said Second Schedule.

(3) A licence (not being a provisional licence) or a certificate of competence to drive issued by a competent authority in Great Britain shall, for the purposes of the granting of licences in Northern Ireland to persons holding such documents, be regarded as having been issued under the Road Traffic Acts (Northern Ireland), 1926 to 1955.

(4) A driving licence issued under Section 3 of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926(a), to a person aged 21 years or over shall be deemed to have authorised that person to drive all classes of motor vehicles.

5. The following shall be the diseases and disabilities in the case of which a person shall not be entitled to claim under sub-section (2) or sub-section (5) of section sixteen of the Act to be subjected to the test prescribed in the preceding Regulation:—

Epilepsy; any form of mental disorder or mental defect as a result of which either the person is certified or duly ascertained as subject to be placed under statutory supervision or his estate is in the hands of a Committee, receiver, curator bonis or judicial

(a) 16 & 17 Geo. 5. Ch. 31.

factor; liability to sudden attacks of disabling giddiness or fainting; inability to read at a distance of 25 yards in good daylight (with the aid of glasses, if habitually worn) a series of six letters and figures in white, silver or light grey on a black ground of the same size and arrangement as those prescribed for the identification mark of a motor-car.

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

(*a*) The Ministry.

(*b*) The Admiralty, the Army Council, the Air Council, the Postmaster General 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*) The Automobile Association and the Royal Automobile Club, in so far as concerns persons resident outside the United Kingdom who intend to make only a temporary stay in Northern Ireland.

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

7.—(1) Any person or body authorised by paragraphs (*b*), (*c*) or (*d*) 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 (*d*) of the preceding Regulation and the authority to conduct tests shall thereupon cease.

8.—(1) Any person passing the test shall be furnished with a certificate in the form set out in Part I of the Fourth Schedule, and any person failing to pass the test shall be furnished with a statement in the form set out in Part II of the said Schedule.

(2) The certificate referred to above shall be surrendered to the licensing authority when a driving licence is subsequently issued.

(3) The person to whom a certificate or statement was furnished under this Regulation may obtain a duplicate copy from the testing authority on payment of a fee of one shilling.

9. A person undergoing a test shall, for the purpose of the test, provide at his own expense a motor vehicle in proper condition of the class or description in respect of which he is to be tested.

10. The fee to be paid for a test conducted by a testing authority authorised in paragraphs (*a*) or (*c*) of Regulation 6 shall be 2/6 if the test relates only to vehicles in Groups H or K of the Second Schedule and £1 in any other case and shall be paid to the testing authority or to such other person as that testing authority may require. No fee shall be payable in respect of a test conducted by persons or bodies authorised in paragraphs (*b*) or (*d*) of Regulation 6.

11. An applicant for a licence who satisfies the Licensing Authority that he is not resident in the United Kingdom shall not be required to pass a test if:—

(*a*) he declares in writing to that Authority—

(i) that at the date of his application for the licence he does not hold in Northern Ireland either a valid domestic driving permit issued in a country outside the United Kingdom or a valid convention driving permit, and

(ii) that at the date of his arrival in the United Kingdom either he held in a country outside the United Kingdom such a valid domestic driving permit or convention driving permit as shall be specified by him or he was then resident in a country where no driving licences are issued for the class of motor vehicle for which he desires a licence and he was then authorised to drive a motor vehicle of that class by the competent authority of that country, or

(*b*) he produces to that Authority either a domestic driving permit issued in a country outside the United Kingdom or a convention driving permit which in either case has expired since the date of his arrival in the United Kingdom:

Provided that a domestic driving permit or a convention driving permit in the case of which the Ministry has made any order under paragraph (5) of Article 1 of the Motor Vehicles (International Circulation) (Road Traffic) (Northern Ireland) Order, 1955, shall be treated as not being such a domestic driving permit or a convention driving permit as is mentioned in sub-paragraph (ii) of paragraph (*a*) or in paragraph (*b*) of this Regulation.

12. Pending the coming into operation of the Motor Vehicles (International Circulation) (Road Traffic) (Northern Ireland) Order, 1955, the requirements of section sixteen of the Act shall not apply to any person who satisfies a Licensing Authority that he is not resident in the United Kingdom and that he is the holder of a convention driving permit or an international driving permit issued under the International Convention relative to Motor Traffic of 1926(a) or is licensed or otherwise authorised by the competent authority of a country other than the United Kingdom to drive a motor vehicle of the Group for which he desires a licence, and no such person applying for the grant of a licence shall be required to pass a test.

13.—(1) Every licence, other than a provisional licence, issued after the date on which these Regulations come into operation shall be in the form of a book containing—

(*a*) the particulars specified in the Fifth Schedule; and

(*b*) not less than 4 pages reserved for endorsements.

(a) Treaty Series No. 11 (1930).