GOODS VEHICLES: LICENSING

REGULATIONS, DATED 14TH JULY, 1955, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 6 OF THE LOCOMOTIVES ON HIGHWAYS ACT, 1896 AND SECTION 53 OF THE MOTOR VEHICLES AND ROAD TRAFFIC ACT (NORTHERN IRELAND), 1934.

1955. No. 124 [C]

The Ministry of Home Affairs in exercise of the powers vested in it by Section 6 of the Locomotives on Highways Act, 1896 and Section 53 of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934, and of every other power in that behalf enabling it, with the approval of the Ministry of Finance for Northern Ireland in regard to the provisions contained in Regulations 8 and 21, hereby makes and prescribes the following Regulations:—

Citation

1. These Regulations may be cited as the Goods Vehicles (Licensing) Regulations (Northern Ireland), 1955, and shall come into operation on the 2nd day of January, 1956.

Interpretation

2. In these Regulations,

"the Ministry" means the Ministry of Home Affairs for Northern Ireland;

"the Acts" means the Locomotives on Highways Act, 1896 and the Motor Vehicles and Road Traffic Acts (Northern Ireland) 1926 to 45;

"Inspector of Vehicles" means a person appointed by the Ministry as an Inspector of Vehicles;

"index Mark and registration Number" means the index Mark and registration Number assigned to the goods vehicle on registration in pursuance of the Road Vehicles (Registration and Licensing) (Northern Ireland) Regulations, 1947(**a**);

"unladen weight" means the weight of the vehicle unladen as registered by a Council in pursuance of the Road Vehicles (Registration and Licensing) (Northern Ireland) Regulations, 1947.

Revocation

3. The Goods Vehicles Regulations (Northern Ireland), 1951(**b**), are hereby revoked.

Application for Licence

4. An applicant desirous of obtaining a licence for a goods vehicle shall make application to the Ministry. Such application shall be in the Form No. 1, 2, 3 or 4 in the Schedule, and shall be made by the owner of the vehicle, or by some person duly authorised in writing by the owner in that behalf.

(**a**) S.R. & O. (N.I.) 1947, No. 167. (**b**) S.R. & O. (N.I.) 1951, No. 53.

Applicant residing outside Northern Ireland

5. Where an application for the licensing of a goods vehicle is made by the owner thereof being a company or body corporate whose registered or principal office is situate outside Northern Ireland or by an individual or individuals whose residence or residences is or are outside Northern Ireland it shall be a condition of the issue of a licence that the owner shall have and retain during the currency of the licence an office or place of business within Northern Ireland and shall undertake to accept service thereat of any summons or other document relating to any matter or offence arising in Northern Ireland in connection with such goods vehicle and to appear at any court as required by such summons or other document and to admit and submit to the jurisdiction of the court relative to the subject matter of such summons or other document. Any non-performance of such undertaking shall operate as an immediate revocation of the licence.

Refusal of Licence

6. The Ministry may in its discretion refuse to grant a licence:—

(*a*) if the applicant has previously obtained a licence for a goods vehicle and the licence has been revoked or suspended;

(*b*) if the applicant—

(i) has failed to observe any of the conditions of any licence previously granted; or

(ii) has been convicted of any offence under Part III of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934(a), or any Regulations made thereunder, or of any offence under Section 18 of the Transport Act (Northern Ireland), 1948(b).

7. The Ministry shall not grant a licence if the applicant fails to satisfy it that the goods vehicle conforms to any Regulations made under the Acts with respect to the use and construction of vehicles.

Licensing Fee

8. The prescribed fees shall be as follows:—

(1) For a goods vehicle for which a licence is applied for within one month of being registered for the first time under the Vehicle (Excise) Act (Northern Ireland), 1954(c), or under the corresponding statutory provisions obtaining elsewhere, and which before being so registered has not been used for demonstration purposes for a longer period than one month ..... 1s.

(2) For a goods vehicle not coming within the provisions of paragraph (1):—

(a) 24 & 25 Geo. 5, Ch. 15. (b) 12 Geo. 6, Ch. 16.
(c) 1954, Ch. 17.

(*a*) Where the vehicle does not exceed in weight 12 cwt. unladen ..... 10s.

(*b*) Where the vehicle exceeds in weight 12 cwt. unladen but does not exceed 2 tons unladen £1

(*c*) Where the vehicle exceeds in weight 2 tons unladen £2

Examination of Vehicle

9. If the Ministry approves of the application, the applicant shall cause the goods vehicle to which the application relates to be brought to such place as an Inspector of Vehicles may direct for examination.

Licence Certificate

10.—(1) An Inspector of Vehicles who certifies a vehicle fit for the issue of a licence shall issue a Goods Vehicle Licensing Certificate (hereinafter called the "licence certificate") in the Form No. 5 in the First Schedule bearing the number of the licence which is to distinguish the vehicle, and showing the name of the owner of the vehicle, its index mark and registration number, and the date of expiry of the licence.

(2) The licence certificate shall be attached to and carried on the vehicle at all times when the vehicle is in use on a public road in a securely fitted weather-proof licence holder.

(3) (*a*) In the case of a vehicle fitted with a front glass windscreen extending across the vehicle to the near side the licence certificate shall be carried facing forwards so as to be clearly visible from in front at all times by daylight, either

(i) on the near lower corner of the glass of such windscreen, or

(ii) within two inches of the glass either in front or behind it.

(*b*) In all other cases, the licence certificate shall be carried on the vehicle so as to be clearly visible at all times by daylight to a person standing at the near side of the vehicle and, except in the case of a pedestrian controlled vehicle,

(i) not less than two feet nor more than six feet six inches from the ground level; and

(ii) in front of, to a distance not exceeding four feet, the driving seat or cab (or, where no such fitting exists, the foot plate).

Notice of Refusal of Licence

11. If the licence is refused the Ministry shall transmit to the applicant notice of such refusal in the Form No. 6 in the Schedule.

Licence

12. The licence shall be in the Form No. 7 in the Schedule.

Licensee's Responsibility

13. The licensee shall be responsible for the observance of all conditions under which the licence is granted.

Conditions of Licence

14.—(1) The licensee:—

(*a*) shall not permit his goods vehicle to be used in contravention of the provisions of Section 18 of the Transport Act (Northern Ireland), 1948, or for any other illegal purpose;

(*b*) shall not deface or mutilate his licence or permit the same to be done by any other person;

(*c*) shall at all times when required produce his licence to any member of the Royal Ulster Constabulary or to an Inspector of Vehicles;

(*d*) shall at all reasonable times for the purpose of inspection, examination or testing of the vehicle to which the licence relates

(i) produce the vehicle at such time and place as may be specified by any Inspector of Vehicles and

(ii) afford to any Inspector of Vehicles full facilities for such inspection, examination or testing, including access to his premises for that purpose;

(*e*) shall within three days after a notice has been delivered to him, deliver up his licence at such place as may be specified in the notice, together with the licence certificate.

(2) The licensee shall cause the goods vehicle and all its fittings to be maintained and kept in good order and repair, and shall take all practical means to secure that all parts of the mechanism, including the brakes, are free from defects and in efficient working order.

(3) The licensee, if any alteration in design or construction of the goods vehicle has been made since the licence was issued, shall immediately communicate full particulars of such alteration to the office of the Inspector of Vehicles nearest to the place where the vehicle is ordinarily kept.

Alteration of Licence Certificate and similar offences

15. A person shall not (either by writing, drawing or in any other manner) alter, deface, mutilate or add anything to any licence certificate, nor shall any person exhibit upon any goods vehicle any licence certificate which has been altered, defaced, mutilated or added to or upon which the figures or particulars have become illegible by fading or otherwise, nor shall any person so exhibit any colourable imitation of any licence certificate.

Transfer of Licence

16.—(1) The licensee, on the sale or other change of ownership of a goods vehicle, shall forthwith notify in writing the change of ownership to the nearest Inspector of Vehicles, stating the

index mark and registration number, the number of the licence issued in respect of the vehicle, and the name and address of the new owner, and shall forward or deliver up to the said Inspector of Vehicles the licence and licence certificate.

(2) If the Ministry approves of an assignment or transfer of a licence it shall endorse the licence accordingly and cause a new licence certificate to be issued showing the name of the new owner of the vehicle.

(3) Save as in this Regulation hereinbefore provided and subject to Regulation 19, a licence for a goods vehicle shall not be assigned or transferred and if otherwise assigned or transferred shall be void as from the date of the assignment or transfer.

Defaced Licence

17. Any licence defaced or upon which there is an erasure shall be void.

Revocation or Suspension of Licence

18.—(1) A licence for a goods vehicle shall be liable to revocation or suspension by the Ministry in any of the following events:—

(*a*) if the licence has been obtained by any misrepresentation;

(*b*) if the licensee fails to comply with any of the conditions upon which the licence issued to him has been granted;

(*c*) if the licensee has been convicted of any offence under Part III of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1934, or any Regulations made thereunder, or of any offence under Section 18 of the Transport Act (Northern Ireland), 1948;

(*d*) if in the opinion of the Ministry the goods vehicle fails to conform to any Regulations made under the Acts with respect to the use and construction of vehicles;

(*e*) if the conduct of the licensee is or has been during the currency of the licence such as to render it inadvisable, in the opinion of the Ministry, that the licensee should continue to hold the licence.

(2) In the event of any such revocation or suspension, (*a*) the Ministry shall give or cause to be given to the licensee notice in writing of such revocation or suspension, and the licence shall be deemed to be revoked or suspended as from the date of such service, and (*b*) the licensee shall forthwith deliver up the licence certificate to the nearest Inspector of Vehicles.

Death or lunacy of Licensee

19. In the case of the death or lunacy of any licensee of a goods vehicle during the currency of his licence the Ministry, if it thinks fit, on application by any relative of such licensee, may by endorsement on the licence temporarily transfer the licence to such applicant pending the appointment of a legal personal