
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 542

**Motor Vehicles (Driving Licences)
Regulations (Northern Ireland) 1996**

Part VI

Supplementary

Transitional provisions

Effect of change in classification of vehicles for licensing purposes

53.—(1) In a licence (whether full or provisional) granted before 1st January 1997, a reference to motor vehicles of an old category shall be construed as a reference to motor vehicles of a new category and a reference to motor vehicles of a class included in an old category shall be construed as a reference to vehicles of the class included in the new category.

(2) For the purposes of paragraph (1), a reference in a licence to motor vehicles of an old category (or a class included in that category) includes a reference in a licence granted before 1st January 1991 to a group or class of motor vehicles which is, by virtue of any enactment, to be construed as a reference to vehicles of the old category (or a class included in that category).

(3) If an application for the grant of a licence in respect of a class of motor vehicles included in an old category has been made but the licence has not been granted or refused before the date upon which this regulation comes into force, the application shall be taken on or after that date to be an application in respect of the class included in the new category.

(4) A person who before 1st January 1997 has passed a test prescribed in respect of (or authorising the driving of) motor vehicles of a class included in an old category shall be regarded as having passed a test prescribed in these Regulations authorising the driving of motor vehicles of the corresponding class in the new category.

(5) Where a licence granted before 1st January 1997 authorises only the driving of a class of motor vehicles included in an old category having automatic transmission, it shall authorise the driving of the corresponding class of vehicles in the new category having automatic transmission.

(6) In this regulation—

“old category” and “class included in an old category” means respectively a category (or, as the case may be, a sub-category) and a class of vehicles specified in column (1) of the Table; and “new category” and “class included in a new category”, in relation to an old category, mean respectively a category (or, as the case may be, a sub-category) and a class of vehicles specified in column (2) of the Table corresponding to the relevant old category or class included therein.

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TABLE

<i>Column (1)</i> <i>Old category or class</i>	<i>Column (2)</i> <i>Corresponding new category or class</i>
A	A
B1	B1
B1, limited to invalid carriages	B1 (invalid carriages)
B	B
B plus E	B + E
C1	C1
C1 plus E	C1 + E (8.25 tonnes)
C	C
C plus E	C + E
C plus E, limited to drawbar trailer combinations only	Vehicles in category C + E which are drawbar trailer combinations
D1	D1 (not for hire or reward)
D1 + E	D1 + E (not for hire or reward)
D, limited to 16 seats	D1
D, limited to vehicles not more than 5.5 metres in length	D1 and vehicles in category D not more than 5.5 metres in length
D, limited to vehicles not driven for hire or reward	Vehicles in category D which are driven otherwise than for hire or reward
D	D
D plus E	D + E
F	F
G	G
H	H
K	K
L	L
N	N
P	P

Mobile cranes as exempted goods vehicles

54. Paragraph (1)(c) of regulation 40 (exempted vehicles) shall apply until 1st January 1998 as if the words “other than a mobile crane” were omitted.

Miscellaneous

Persons who become resident in Northern Ireland

55.—(1) A person who becomes resident in Northern Ireland who is—

- (a) the holder of a relevant permit; and
- (b) is not disqualified for holding, or obtaining a licence in Northern Ireland,

shall, during the period of one year after he becomes so resident, be treated for the purposes of Article 3 of the Order as the holder of a licence authorising him to drive all classes of small vehicle which he is authorised to drive by that permit.

(2) The following enactments relating to licences or licence holders shall apply in relation to relevant permits or the holders of such permits (as the case may be) subject to modifications in accordance with the following provisions—

- (a) Article 169(1) of the Order (production of licence to court) shall apply as if the reference to a licence were a reference to a relevant permit, but with the omission of the words “for the purpose of endorsement”;
- (b) Article 197(3) of the Order (production of licence) shall apply as if the references to a licence were references to a relevant permit, but with the omission of sub-paragraph (b) and the words “for the purpose of endorsement” where they occur;
- (c) Article 194(9) of the Order (duty of a court when it orders a disqualification to be removed) shall apply in relation to the holder of a relevant permit as if for the words “endorsed on the licence” onwards there were substituted the words “notified to the Department”;
- (d) Article 197(8) of the Order (powers and duties of a court when it orders a disqualification or an endorsement) shall apply in relation to the holder of a relevant permit as if for the words “shall also on the production of the licence” onwards there were substituted the words “shall also on the production of the permit retain it and forward it to the Department which shall keep the permit until the disqualification has expired or been removed or the person entitled to the permit leaves Northern Ireland and in any case has made a demand in writing for its return to him”;
- (e) Article 180(2), (3) and (4) of the Order (which authorise a police constable to require the production of a licence)(1) shall apply as if the references to a driving licence or licence were references to a relevant permit; and
- (f) Article 174(2) of the Order (forgery of documents, etc.)(2) shall apply as if the reference to a licence were a reference to a relevant permit.

(3) In this regulation “relevant permit” means—

- (i) a “domestic driving permit”,
- (ii) a “Convention driving permit”, or
- (iii) a “British Forces (BFG) driving licence”,

within the meaning of Article 3(7) of the Motor Vehicles (International Circulation) Order (Northern Ireland) 1990(3) which is—

- (a) for the time being valid for the purposes for which it was issued; and
- (b) is not a domestic driving permit or a British Forces (BFG) driving licence in respect of which any order made, or having effect as if made, by the Department is for the time being in force under Article 2(b) of that Order.

(1) Article 180 was amended by [S.R. 1996 No. 426](#) Schedule 1 paragraph 23

(2) Article 174 was amended by [S.R. 1996 No. 426](#) Schedule 1 paragraph 22

(3) [S.R. 1990 No. 190](#) as amended by [S.R. 1996 No. 426](#) Schedule 2 paragraph 2

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(4) In this regulation, “permit” means a “Convention driving permit”, a “domestic driving permit” or a “British Forces (BFG) driving licence” as defined in Article 3(7) of the Motor Vehicles (International Circulation) Order (Northern Ireland) 1990 not being a domestic driving permit or a British Forces (BFG) driving licence in the case of which any order made, or having effect as if made, by the Department is for the time being in force under Article 2(b) of the said Order.

Revocation

56. The Regulations specified in Schedule 12 are hereby revoked.