

1976 No. 106

ROAD TRAFFIC AND VEHICLES

Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1976

Made 24th March 1976

Coming into operation 12th April 1976

The Department of the Environment for Northern Ireland in exercise of the powers conferred by sections 55, 61 and 189 of the Road Traffic Act (Northern Ireland) 1970(a) and now vested in it(b), and of all other powers enabling it in that behalf, and with the approval of the Department of Finance in respect of the fees hereby prescribed, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1976 and shall come into operation on 12th April 1976.

Regulations amended

2. The Public Service Vehicles Regulations (Northern Ireland) 1965(c) shall be amended as follows:

(1) For regulation 5 there shall be substituted the following regulation:

"Application for licence

5.—(a) A person who desires to obtain the grant of a licence for a public service vehicle shall apply to the Department on a form issued by the Department and shall furnish all relevant particulars and make any relevant declaration specified in such form.

(b) Each application for a licence shall be accompanied by the appropriate fee as prescribed in regulation 10."

(2) In regulation 7 for the figures "21" there shall be substituted the figures "18".

(3) For regulation 10 there shall be substituted the following regulation:

"Fees

10. The fees payable on an application for a public service vehicle licence shall be as follows:

(a) for a motor hackney carriage or an omnibus for which a licence is applied for within one month of being registered for the first time under the Vehicles (Excise) Act (Northern Ireland) 1972(d) 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, a fee of £1.50;

(a) 1970 c. 2 (N.I.) as amended by S.I. 1973/1229 (N.I. 17)

(b) S.R. & O. (N.I.) 1973 No. 504 Article 5(b) (II, p. 2992)

(c) S.R. & O. (N.I.) 1965 No. 161 (p. 560) as amended by the following instruments S.R. & O.'s (N.I.) 1969 No. 127 (p. 481) and No. 310 (p. 1382) and S.R. 1974 No. 92 and other amending instruments not relevant for the purpose.

(d) 1972 c. 10 (N.I.)

- (b) for a motor hackney carriage not coming within the provisions of sub-paragraph (a), a fee of £3.50;
- (c) for an omnibus not coming within the provisions of sub-paragraph (a), a fee of £8.50;
- (d) where following a refusal of a public service vehicle licence under regulation 9(a) the vehicle is presented for a further examination within 28 days from the date of issue of a notice of refusal:
 - (i) for a motor hackney carriage a fee of £2,
 - (ii) for an omnibus a fee of £4.00."

(4) In regulation 12(3) the words "in Form No. 5 in the First Schedule" shall be deleted.

(5) In regulation 22 for the words "to the Ministry" to "in the First Schedule." there shall be substituted "to the Department on a form issued by the Department and shall furnish all relevant particulars and make any relevant declaration specified in such form."

(6) In regulation 24 the words "in Form No. 12 in the First Schedule" shall be deleted.

(7) For regulation 26 there shall be substituted the following regulation:

"Refusal of licence

26. A licence shall not be granted to any applicant who is—

- (a) unable to read or write or is not clean in dress and person;
- (b) unable to produce a copy of his birth certificate or furnish other satisfactory evidence as to his age;
- (c) under five feet in height or not strong enough to deal with the luggage of passengers;
- (d) deemed unfit from any infirmity of mind or body;
- (e) unable to satisfy the Department that he has not at any time since he attained the age of three years had an epileptic attack; or
- (f) unable to satisfy the Department that he is of good character and fit to act as a driver or a conductor, as the case may be."

(8) In regulation 34 for the words "in the Form" to "may require." there shall be substituted "on a form issued by the Department." and

(9) In the First Schedule Forms No. 2, 3, 4, 5, 8, 9, 12, 13 and 14 shall be deleted.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 24th March 1976.

(L.S.)

B. D. Palmer

Assistant Secretary

The Department of Finance hereby approves of regulation 2(3).

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 24th March 1976.

(L.S.)

C. F. Darling

Senior Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

These regulations further amend the Public Service Vehicles Regulations (Northern Ireland) 1965.

The amendments are as follows:—

1. Applications for public service vehicle licences have to be accompanied by the appropriate fee.
2. The introduction of a new fee structure and increased fees for public service vehicle licences.
3. Prohibiting the granting of a public service vehicle driver's licence to a person who has had an epileptic attack after he attained the age of 3 years.
4. Removal of the bar on licensing female persons to drive motor hackney carriages which are licensed to stand or ply for hire on any road or public place.
5. The application forms for public service vehicle licences, drivers licences, conductors licences and duplicate licences and the notice of refusal have been removed from the Schedule.

In future these forms shall be issued in such form as the Department may determine and application forms may be obtained from any Vehicle Inspection or Driving Test Centre or any Local Vehicle Licensing Office.