

1994 No. 23

ROAD AND RAILWAY TRANSPORT

**Buses (Section 10B Permits) Regulations
(Northern Ireland) 1994**

Made 24th January 1994

Coming into operation 1st March 1994

The Department of the Environment(a), in exercise of the powers conferred on it by sections 10D, 45 and 81 of the Transport Act (Northern Ireland) 1967(b), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Buses (Section 10B Permits) Regulations (Northern Ireland) 1994 and shall come into operation on 1st March 1994.

Interpretation

2. In these Regulations—

“the 1967 Act” means the Transport Act (Northern Ireland) 1967;

“the 1981 Order” means the Road Traffic (Northern Ireland) Order 1981(c);

“Department” means the Department of the Environment;

“holder” means a body to which a permit has been granted.

Conditions to be fulfilled by driver

3. The driver of a vehicle used under a permit shall fulfil the following conditions—

(a) he shall hold a current full licence under Part II of the 1981 Order(d) which authorises him to drive a category B motor vehicle and shall have held that licence for at least two years; and

(b) he shall be 21 years of age or over.

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- (a) The functions of the Ministry of Development under the Transport Act (Northern Ireland) 1967 transferred to the Department of the Environment by S.R. & O. (N.I.) 1973 No. 504 Art. 4
- (b) 1967 c. 37 (N.I.); *see* section 81 for the definition of “prescribed”; section 10D was inserted by Art. 3 of S.I. 1990/994 (N.I. 7); section 45 was amended by reg. 5(4) of S.R. & O. (N.I.) 1972/359 and Art. 10(2) of S.I. 1984/1986 (N.I. 15)
- (c) S.I. 1981/154 (N.I. 1)
- (d) As substituted by Art. 3 of and Sch. 1 to the Road Traffic (Amendment) (Northern Ireland) Order 1991 (S.I. 1991/197 (N.I. 3))

Form of permits

4.—(1) Every permit in relation to the use of a large bus or a small bus—

(a) shall specify—

- (i) the Department or other body by whom it was granted and the date on which it was granted;
- (ii) the body to whom it was granted;
- (iii) its number; and
- (iv) whether it authorises the use of a small or large bus; and

(b) shall describe—

- (i) the conditions to be complied with when a vehicle is used under the permit; and
- (ii) the classes of persons who may be carried in the vehicle as passengers when it is being used under the permit by means of the following letter code:

Class A Members of the body holding the permit;

Class B Persons whom the body exists to benefit, and persons assisting them;

Class C Persons who are physically or mentally handicapped or seriously ill, and persons assisting them;

Class D Pupils or students of any school, college, university or other educational establishment, and staff or other helpers accompanying them;

Class E Other class of persons specified in the permit.

(2) The conditions mentioned in paragraph (1)(b)(i) shall include the requirements of regulation 3 (conditions to be fulfilled by the driver), and regulation 5(4) (display of the disc).

Disc

5.—(1) The Department or other body granting a permit under section 10B of the 1967 Act shall issue with it a disc which—

(a) shall specify—

- (i) the holder of the permit related to that disc;
- (ii) the number of that permit;
- (iii) the date that permit was granted; and
- (iv) the Department or other body which issued the disc; and

(b) shall contain—

- (i) the words “Transport Act (Northern Ireland) 1967 section 10B permit vehicle”; and
- (ii) an indication by way of the letter code contained in regulation 4(1)(b)(ii) of the classes of passengers who may be carried in any vehicle used under the related permit.

(2) Where a permit authorises the use of a large bus, the disc related to that permit shall be red and shall be headed with the words “large bus disc”.

(3) Where a permit authorises the use of a small bus, the disc related to that permit shall be purple and shall be headed with the words "small bus disc".

(4) The holder shall during such time as the vehicle is being used under the permit cause the disc related to that permit to be affixed to the inside of the vehicle in such a position that the disc—

(a) does not interfere unduly with the driver's view, and

(b) can easily be read in daylight from the outside of the vehicle.

Duplicate permits and discs

6.—(1) If a permit or disc has been lost or destroyed, the holder shall forthwith notify the Department or other body by whom the permit or disc was granted or issued and the Department or body, if satisfied that the permit or disc has been lost or destroyed, shall issue a duplicate of the permit or disc marked as such.

(2) If a permit or disc referred to in paragraph (1) of which a duplicate has been issued is subsequently recovered by the holder he shall forthwith return it to the Department or other body.

(3) If a permit or disc becomes defaced or illegible the holder shall forthwith return it to the Department or body by whom it was granted or issued, and on such return the Department or body shall issue a duplicate of the permit or disc marked as such.

(4) A duplicate of a permit or disc issued in accordance with paragraph (1) or (3) shall have the same effect as the original.

Sealed with the Official Seal of the Department of the Environment on
24th January 1994.

(L.S.)

Trevor Pearson

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Sections 10A and 10B of the Transport Act (Northern Ireland) 1967, (as inserted by Article 3 of the Transport (Amendment) (Northern Ireland) Order 1990), make provision for the exemption of certain vehicles and their drivers from public service vehicle licensing requirements when those vehicles are used in accordance with a permit. These Regulations relate to vehicles used under such permits and make provision for—

- (1) conditions to be fulfilled by the driver (regulation 3);
- (2) the form of permits (regulation 4);
- (3) the issue, form and display of discs (regulation 5); and
- (4) the issue of duplicate permits and discs (regulation 6).