
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 1

ROAD AND RAILWAY TRANSPORT

**Buses (Section 10B Permits) (Amendment)
Regulations (Northern Ireland) 1997**

Made - - - - *2nd January 1997*

Coming into operation *16th January 1997*

The Department of the Environment, in exercise of the powers conferred on it by sections 10D and 81 of the Transport Act (Northern Ireland) 1967⁽¹⁾ and now vested in it⁽²⁾, and of every other power 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) (Amendment) Regulations (Northern Ireland) 1997 and shall come into operation on 16th January 1997.

Amendment of the Buses (Section 10B Permits) Regulations (Northern Ireland) 1994

2. For regulation 3 (conditions to be fulfilled by driver) of the Buses (Section 10B Permits) Regulations (Northern Ireland) 1994⁽³⁾ there shall be substituted—

“3.—(1) The driver of a vehicle used under a permit, if he is not the holder of—

- (a) a passenger-carrying vehicle driver’s licence;
- (b) a PCV Community licence; or
- (c) a Great Britain driving licence corresponding to a passenger-carrying vehicle driver’s licence,

which authorises the driving of that vehicle, must fulfil either the conditions specified in paragraph (2) or the alternative conditions specified in paragraph (3).

(2) The conditions are that he—

- (a) is the holder of—
 - (i) a valid full licence granted under Part II of the 1981 Order,
 - (ii) a valid Great Britain licence corresponding to such a licence, or

(1) 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)
(2) S.R. & O. (N.I.) 1973 No. 504 Art 4
(3) S.R. 1994 No. 23

- (iii) a valid Community licence,
authorising the driving of motor vehicles included in category B other than vehicles included in sub-category B1,
- (b) has held that licence for a period of not less than 2 years in aggregate;
 - (c) is 21 years of age or over; and
 - (d) receives no payment or other consideration for driving the vehicle other than out of pocket expenses.
- (3) The alternative conditions are that he—
- (a) was first granted a full licence under Part II of the 1981 Order before 1st January 1997;
 - (b) is the holder of a valid full licence granted under that Part of that Order authorising the driving of motor vehicles included in category B, other than vehicles included in sub-category B1, and sub-category D1 (not for hire or reward); and
 - (c) is 21 years of age or over.
- (4) For the purposes of this regulation—
- (a) any expression which is also used in Parts II and V of the 1981 Order has the same meaning as in those Parts of that Order;
 - (b) expressions relating to vehicle categories shall be construed in accordance with regulation 3(2)(a) and (b) of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(4); and
 - (c) a person holds a valid full licence granted under Part II of the 1981 Order authorising the driving of motor vehicles included in any category or sub-category if he is authorised to drive such vehicles by virtue of Article 4(1) of that Order.”.

Sealed with the Official Seal of the Department of the Environment on

L.S.

2nd January 1997.

Trevor Pearson
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Buses (Section 10B Permits) Regulations (Northern Ireland) 1994 by altering the conditions which must be met by a person driving a small bus under a section 10B permit. Following the amendment of section 10A of the Transport Act (Northern Ireland) 1967 by the Driving Licences (Community Driving Licence) Regulations (Northern Ireland) 1996 ([S.R. 1996 No. 426](#), regulation 4 and Schedule 2 paragraph 1) a person who does not hold a full passenger-carrying vehicle driver's licence may not, after 1st January 1997, drive large buses under such a permit. These provisions together give effect to Article 5.4(a) of Council Directive [91/439/EEC](#) of 29th July 1991 on driving licences (O.J. No. L237, 24.8.91, p. 1).

A driver of a small bus under a permit must be 21 or over and hold either a full Northern Ireland driving licence, a full Great Britain licence or an equivalent licence issued by a state or territory within the European Economic Area which authorises the driving of motor cars. If, however, he did not hold a full Northern Ireland licence before 1st January 1997, he must fulfil two additional conditions, namely that the licence must have been held for at least two years in aggregate and he must not receive any payment for driving other than out of pocket expenses.

Copies of the EEC Directive referred to in this note can be obtained from Her Majesty's Stationery Office, 16 Arthur Street, Belfast BT1 4GD.