

2004 No. 252

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Driving Licences) (Fees)
(Amendment) Regulations (Northern Ireland) 2004**

Made - - - - - *1st June 2004*

Coming into operation *1st July 2004*

The Department of the Environment, in exercise of the powers conferred on it by Articles 13(1), 19C(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf, and in accordance with Article 19C(3) of that Order with the approval of the Department of Finance and Personnel(b) hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Fees) (Amendment) Regulations (Northern Ireland) 2004 and shall come into operation on 1st July 2004.

Amendment of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996

2. For Schedule 2 to the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(c) there shall be substituted –

“SCHEDULE 2 Regulation 10

LICENCE FEES

TABLE OF FEES

	(1)	(2)
	<i>Description of licence and circumstances of application</i>	<i>Fee payable</i>
1.	A first licence.	£38
2.	A provisional licence granted following the revocation of a licence under Article 5(1) of the Road Traffic (New Drivers) (Northern Ireland) Order 1998(d).	£38

(a) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of “Department” and “prescribed”; Articles 13 and 19C were substituted by S.I. 1991/197 (N.I. 3), Schedule 1; Article 13(1) was amended by S.R. 1996 No. 426, Schedule 1, paragraph 5; Article 19C was amended by S.I. 1996/1320 (N.I. 10), Schedule 3, paragraph 8 and S.R. 1996 No. 426, Schedule 1, paragraph 11

(b) Formerly the Department of Finance; *see* S.I. 1982/338 (N.I. 6), Article 3

(c) S.R. 1996 No. 542; Schedule 2 was substituted by S.R. 2000 No. 129, regulation 2 and amended by S.R. 2001 No. 240, regulation 2

(d) S.I. 1998/1074 (N.I. 7)

	(1)	(2)
	<i>Description of licence and circumstances of application</i>	<i>Fee payable</i>
3.	A full Group 1 licence issued in exchange for a first licence or a provisional licence granted following revocation of a licence under the Road Traffic (New Drivers) (Northern Ireland) Order 1998, where the licence submitted for exchange was issued pursuant to an application made before 1st July 2004.	£18
4.	A full licence granted in exchange for a full Great Britain licence which was granted under section 88 of the Road Traffic Act 1972(a) or section 97 of the Road Traffic Act 1988(b).	Nil
5.	A full licence granted in exchange for a full Community licence or an exchangeable licence.	£38
6.	A full Group 1 licence, other than a licence falling in paragraph 3 of this Table, where the applicant has previously been granted a provisional licence.	Nil
7.	A renewal licence to remain in force for a period of 10 years under Article 15(1)(a) of the Order.	£19
8.	A renewal licence to remain in force for a period mentioned in Article 15(1)(b) of the Order, i.e. for a period ending on the applicant's seventieth birthday or for 3 years, whichever is the longer.	£19
9.	A renewal licence to remain in force for a period mentioned in Article 15(1)(c), 15(2)(d) or 15C(2)(b)(c) of the Order, i.e. granted to an applicant suffering from a relevant or prospective disability.	Nil
10.	A renewal licence where the applicant is aged 70 years or over.	Nil
11.	A licence granted under Article 15(8) of the Order (issue of a new licence in certain circumstances on surrender of a licence (unless no fee is payable)).	£19
12.	A provisional licence authorising the driving of vehicles of a class included in category C.	Nil
13.	A provisional licence authorising the driving of vehicles of a class included in category D.	Nil
14.	A full Group 2 licence.	Nil
15.	A full Group 2 licence granted following the addition of category E entitlement.	Nil
16.	A first full licence authorising the driving of vehicles of a class included in category C where the applicant has previously been granted a provisional licence for that category.	Nil
17.	A first full licence authorising the driving of vehicles of a class included in category D where the applicant has previously been granted a provisional licence for that category.	Nil

(a) 1972 c. 20

(b) 1988 c. 52

(c) Article 15C was inserted by S.R. 1996 No. 426, Schedule 1, paragraph 8

	(1)	(2)
	<i>Description of licence and circumstances of application</i>	<i>Fee payable</i>
18.	A licence granted by way of replacement of a lost or defaced licence.	£19
19.	A full licence granted upon the expiry of a period of disqualification ordered by a court under Article 35 or Article 40 of the Offenders Order –	
	(a) in the circumstances prescribed in regulation 52 for the purposes of Article 11(5) of the Order; or	£75
	(b) otherwise than in those circumstances,	£50
	and in this paragraph the reference to a period of disqualification imposed by a court under Article 35 of the Offenders Order includes a period of disqualification reduced by an order of the court under Article 36 of that Order.	
20.	A licence issued under regulation 9A(a) (licences to drive vehicles in another category) or Article 50(3) of the Offenders Order (licence issued free from endorsement on surrender of a current licence).	£19
21.	Except if it is a first licence, a provisional licence granted first upon the expiry of a period of disqualification ordered by a court under Article 41 of the Offenders Order whether or not the court also made an order under Article 35 or 40 of that Order –	
	(a) in the circumstances prescribed in regulation 52 for the purposes of Article 11(5) of the Order; or	£75
	(b) otherwise than in those circumstances.	£50
22.	A provisional Group 2 licence granted to a person who has been disqualified under Article 74(b) of the Order.	£50
23.	A licence granted following disqualification ordered by a court under Article 37A of the Child Support (Northern Ireland) Order 1991(c).	£50

In this Schedule –

“first licence” means a licence (other than a licence falling in paragraphs 4 and 5 of the table) granted to a person who has not previously held a licence granted under Article 13 of the Order;

“renewal licence” means a licence granted upon expiry of a previous licence; and

“Group 1 licence” and “Group 2 licence” have the meanings respectively given in regulation 48.”.

(a) Regulation 9A was inserted by S.R. 1997 No. 383, regulation 4
(b) Article 74 was substituted by S.I. 1991/197 (N.I. 3), Schedule 3, Part I
(c) S.I. 1991/2628 (N.I. 23); Article 37A was inserted by 2000 c. 4 (N.I.), section 16(3)

Sealed with the Official Seal of the Department of the Environment on 1st June 2004.

(L.S.)

Wesley Shannon

A senior officer of the Department of the Environment

The Department of Finance and Personnel approves these Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 1st June 2004.

(L.S.)

Michael Brennan

A senior officer of the Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 by amending the fees in respect of driving licences so as to mirror the fees set in Great Britain.

The principal change is that the fee for a first licence is increased from £20 to £38, but that subsequent entitlements are free of charge.

Other changes are as follows –

(1) the fee of £20 for the grant of a licence following a period of disqualification ordered by a court is increased to –

- (a) £75 where the disqualification is due to excess alcohol; or
- (b) £50 where the disqualification is due to other circumstances.

(2) A new fee of £50 is introduced for the grant of a provisional Group 2 licence following disqualification by the Department on the grounds of conduct and where the person is required to pass a test of competence.

(3) A new transitional fee of £18 is introduced for the issue of a full Group 1 licence in exchange for (a) a first licence; or (b) a provisional licence (following the revocation of a full licence), where such licences were applied for before the commencement of these Regulations. This removes the anomaly of such licences being exchanged free of charge under the new fees structure.

© Crown Copyright 2004

£3.00

Published by The Stationery Office Limited

ISBN 0-337-95568-9



9 780337 955686