
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 132

**The Train Driving Licences and Certificates
Regulations (Northern Ireland) 2010**

PART 5

VALIDITY OF LICENCES AND CERTIFICATES

Validity and renewal of train driving licences

12.—(1) Subject to regulation 34 and 37 and paragraph (3), a train driving licence is valid for 10 years.

(2) The Department must not renew a train driving licence unless it is satisfied that the holder has complied with regulation 13 and passed any examinations undergone in pursuance of it and undergoes continuous training, as required by regulation 28(d), to ensure the driver's general professional knowledge is maintained.

(3) A train driving licence ceases to be valid once it is suspended or withdrawn.

Periodic checks to maintain validity of licence

13.—(1) The holder of a train driving licence must pass periodic medical and psychological examinations relating to the requirements described in regulation 8(3) and (4).

(2) For the purpose of paragraph (1) periodic examinations with regard to medical requirements means examinations conducted at the minimum frequency and at other times set out in paragraph 3 of Schedule 1.

Validity of certificate

14. A train driving certificate ceases to be valid once it is suspended or withdrawn or regulation 16(2) applies

Periodic checks to maintain validity of certificate

15.—(1) The holder of a train driving certificate must undergo periodic examinations relating to the requirements described in regulation 9(1)(b) to (d).

(2) For the purpose of paragraph (1), the frequency of periodic examinations must be as determined by the railway undertaking that has issued the certificate in accordance with its safety management system, but must not be less than the minimum frequencies set out in Schedule 6.

(3) When the holder of a train driving certificate passes the examinations required by paragraph (1) the certificate must be endorsed with a statement to that effect by the railway undertaking that issued it.

Cessation of employment

16.—(1) A railway undertaking must give written notice to the Department when a train driver ceases to be employed by it as a train driver.

(2) When a person ceases to be employed as a train driver by a railway undertaking a train driving certificate issued by it in relation to that employment ceases to be valid.

(3) If a train driving certificate becomes invalid by virtue of paragraph (2), the railway undertaking that issued it must provide the train driver with—

- (a) a certified copy of it endorsed to indicate when it ceased to be valid; and
- (b) a copy of all documents providing evidence of the driver's training, qualifications, experience and professional competence relevant to train driving undergone, obtained or achieved by the driver whilst employed as a train driver by that body.

Monitoring

17.—(1) A railway undertaking must establish a system for monitoring train drivers employed by it.

(2) If the results of that monitoring call into question a train driver's competence for the job or the continuing validity of their train driving licence or train driving certificate, the railway undertaking must immediately take any necessary action which may include—

- (a) informing the Department of matters relevant to the continuing validity of the licence;
- (b) requiring that driver to undergo the relevant examinations and training referred to in regulations 8(1)(d) to (f) and 9(1)(b) to (d); and
- (c) suspension or withdrawal of their train driving certificate.

(3) A train driver who considers that his state of health calls into question his fitness to drive trains must immediately inform the railway undertaking by whom he is employed.

(4) A railway undertaking that becomes aware that a train driver employed by it has failed to comply with regulation 13 or 15, or has failed an examination required by those regulations, or that the health of a train driver has deteriorated to a point where his fitness for the job is called into question, must immediately take any necessary action which may include—

- (a) informing the Department of matters relevant to the continuing validity of the licence;
- (b) requiring that driver to undergo the relevant periodic examinations referred to in regulations 13 or 15; or
- (c) suspension or withdrawal of his train driving certificate.

(2) A railway undertaking must inform the Department when a train driver employed by it has suffered work incapacity for a period of more than three months.