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STATUTORY INSTRUMENTS

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**1981 No. 154**

**Road Traffic (Northern Ireland) Order 1981**

**PART V**

**REGULATION OF GOODS VEHICLES AND PUBLIC SERVICE  
VEHICLES, TOGETHER WITH THE DRIVERS OF SUCH VEHICLES,  
AND CONTROL OF LARGE PRIVATE PASSENGER VEHICLES**

*[<sup>F1</sup>Special provisions relating to licensing of drivers of  
large goods vehicles and passenger-carrying vehicles*

**[<sup>F1</sup>]<sup>F2</sup>Community licences: disqualification etc.**

**74A.**—(1) Where a notice is served on a Community licence holder in pursuance of Article 73A(1)(a), the Department must, in accordance with the regulations made in pursuance of Article 73(3), order that person to be disqualified indefinitely or for the period determined in accordance with the regulations.

(2) Where a notice is served on a Community licence holder in pursuance of Article 73A(1)(b), the Department may—

- (a) order that person to be disqualified indefinitely or for such period as the Department thinks fit,
- (b) if it appears to the Department that, owing to the conduct of the Community licence holder, it is expedient to require him to comply with the prescribed conditions applicable to provisional licences under Part II until he passes the prescribed test of competence to drive large goods vehicles or passenger-carrying vehicles of any class, order him to be disqualified for holding or obtaining a full licence until he passes such a test, or
- (c) on receipt of the Community licence and its counterpart (if any), grant to the Community licence holder, free of charge, a large goods vehicle or passenger-carrying vehicle driver's licence which shall take effect from such date as the Department may determine.

**[**  
<sup>F3</sup>(3) Where in pursuance of paragraph (1) or (2), the Department orders a Community licence holder to be disqualified the Department must, on receipt of the Community licence and its counterpart (if any), grant to the Community licence holder, free of charge, a licence authorising the driving of the classes of vehicle which are unaffected by the disqualification.

(3A) The Department may require a person to provide—

- (a) evidence of his name, address, sex and date and place of birth; and
- (b) a photograph which is a current likeness of him,

before granting a licence to him under paragraph (3).]

(4) If, while the holder of an LGV Community licence or a PCV Community licence is disqualified under paragraph (1), the circumstances prescribed for the purposes of Article 73A(1)(a)

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**Changes to legislation:** Road Traffic (Northern Ireland) Order 1981, Section 74A is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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cease to exist in his case, the Department must, on an application made to it for the purpose remove the disqualification.

(5) Where the holder of an LGV Community licence or a PCV Community licence is disqualified under paragraph (2)(a), the Department may, in such circumstances as may be prescribed, remove the disqualification.

(6) In this Article “disqualified”

- (a) in a case where notice is served in pursuance of Article 73A(1) on a Community licence holder on the ground of his conduct as a driver, means disqualified for holding or obtaining a licence under Part II to drive large goods vehicles of the prescribed classes and passenger-carrying vehicles of the prescribed classes; and
- (b) in a case where notice is served in pursuance of Article 73A(1) on a holder of a PCV Community licence on the ground of his conduct otherwise than as a driver, means disqualified for holding or obtaining a licence under Part II to drive passenger-carrying vehicles of the prescribed classes.]]

<b>F1</b>	1991 NI 3
<b>F2</b>	SR 1996/426
<b>F3</b>	SR 2002/374

**Changes to legislation:**

Road Traffic (Northern Ireland) Order 1981, Section 74A is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

**Changes and effects yet to be applied to :**

- Instrument amended by [1994 c. 22 s. 63Sch.3 para 17](#)
- Instrument rev. in Pt. by [1994 c. 22 s. 65Sch.5 Pt II](#)
- art. 74A words repealed by [S.I. 2007/916 \(N.I.\) Sch. 5 para. 17Sch. 8 Pt. 5](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 1 Pt. 1 words inserted by [2016 c. 11 \(N.I.\) s. 18\(2\)](#)
- Sch. 7 para. 6 repealed by [2010 c. 2 \(N.I.\) Sch. 4](#) (The amendment could not be applied as the relevant affected text is not available on [legislation.gov.](#))
- Sch. 7 para. 7 repealed by [2010 c. 2 \(N.I.\) Sch. 4](#) (The amendment could not be applied as the relevant affected text is not available on [legislation.gov.](#))
- art. 5(2ZA)-(2ZD) inserted by [2016 c. 11 \(N.I.\) s. 16\(2\)\(a\)](#)
- art. 5(4A) inserted by [2016 c. 11 \(N.I.\) s. 16\(2\)\(b\)](#)
- art. 5A inserted by [2016 c. 11 \(N.I.\) s. 17\(2\)](#)
- art. 13(1)(c)(ia) words repealed by [S.I. 2007/916 \(N.I.\) Sch. 5 para. 4\(a\)\(ii\)Sch. 8 Pt. 5](#)
- art. 13B-13C inserted by [2016 c. 11 \(N.I.\) s. 17\(3\)](#)
- art. 15ZA inserted by [2016 c. 11 \(N.I.\) s. 18\(1\)\(c\)](#)
- art. 19D(1ZA)(1ZB) inserted by [2016 c. 11 \(N.I.\) s. 17\(4\)\(b\)](#)
- art. 19AB19AC substituted for art. 19A 19B by [2016 c. 11 \(N.I.\) s. 19\(3\)](#)
- art. 31A(2A)-(2D) inserted (temp.) by [S.I. 2019/648 reg. 5\(2\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 5 omitted immediately before IP completion day by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 31A(2C) words inserted in earlier amending provision [S.I. 2019/648](#), reg. 5(2)(a) by [S.I. 2020/818 Sch. 6 para. 39\(4\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2019/648](#), reg 5, which inserts art. 31A(2C) omitted (31.12.2020 immediately before IP completion day) by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 31A(3A)(3B) inserted (temp.) by [S.I. 2019/648 reg. 5\(2\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 5 omitted immediately before IP completion day by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 31A(3B) words inserted in earlier amending provision [S.I. 2019/648](#), reg. 5(2)(b) by [S.I. 2020/818 Sch. 6 para. 39\(4\)\(b\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2019/648](#), reg 5, which inserts art. 31A(3B) omitted (31.12.2020 immediately before IP completion day) by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 31A(3B) words inserted in earlier amending provision [S.I. 2019/648](#), reg. 5(2)(b) by [S.I. 2020/818 Sch. 6 para. 39\(4\)\(b\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2019/648](#), reg 5, which inserts art. 31A(3B) omitted (31.12.2020 immediately before IP completion day) by virtue of [S.I. 2020/1393](#), regs. 1(2), 2(4))
- art. 174(2A)(da) inserted by [2016 c. 11 \(N.I.\) s. 17\(5\)\(a\)\(i\)](#)
- art. 174(2AB) inserted by [2016 c. 11 \(N.I.\) s. 17\(5\)\(b\)](#)
- art. 177(1)(ba) inserted by [2016 c. 11 \(N.I.\) s. 19\(4\)\(b\)](#)
- art. 177(1A) inserted by [2016 c. 11 \(N.I.\) s. 19\(4\)\(c\)](#)

- art. 177(3)(4) inserted by 2016 c. 11 (N.I.) s. 19(4)(b)
- art.198 am. (prosp.) by 1997 c. 16 s.18Sch.3 paras.8(2)9
- art.198 am. (prosp.) by 1997 c. 16 s.18Sch.3 paras.8(2)9