

SCHEDULES

SCHEDULE 2

EXISTING HEAVY GOODS VEHICLES AND PUBLIC SERVICE VEHICLES DRIVERS' LICENCES

Modifications etc. (not altering text)

- C1** Sch. 2: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 5 Pt. 2** (with art. 9(2))

PART I

EXISTING HEAVY GOODS VEHICLES AND PUBLIC SERVICE VEHICLES DRIVERS' LICENCES

Preliminary

Disqualification on revocation of existing licences

5.—(1) Where in pursuance of paragraph 4(1)(a) the Department revokes a person's existing licence, it must, in accordance with the regulations made for the purposes of that paragraph, order that person to be disqualified indefinitely or for the period determined in accordance with the regulations.

(2) Where in pursuance of paragraph 4(1)(b) the Department revokes an existing licence, it may—

- (a) order the holder to be disqualified indefinitely or for such period as it thinks fit, or
- (b) except where the licence is a provisional licence, if it appears to the Department that, owing to the conduct or physical disability of the holder of the licence it is expedient to require him to comply with the prescribed conditions applicable to provisional licences under Part II of the principal Order until he passes the prescribed test of competence under that Part to drive large goods vehicles or passenger-carrying vehicles of any class, order him to be disqualified for holding or obtaining a full licence to drive until he passes such a test.

(3) If, while the holder of an existing licence is disqualified under sub-paragraph (1), the circumstances prescribed for the purposes of paragraph 4(1)(a)(ii) cease to exist in his case, the Department must, on an application made to it for the purpose, remove the disqualification.

(4) Where the holder of an existing licence is disqualified under sub-paragraph (2)(a), the Department may, in such circumstances as may be prescribed, remove the disqualification.

(5) Where the holder of an existing full licence is disqualified under sub-paragraph (2)(b), the Department must not afterwards grant him a full licence under Part II of the principal Order to drive large goods vehicles or passenger-carrying vehicles of any class unless satisfied that he has since the disqualification passed the prescribed test of competence under that Part to drive vehicles of that class, and until he passes that test any such full Part II licence obtained by him shall be of no effect.

Changes to legislation: There are currently no known outstanding effects for the The Road Traffic (Amendment) (Northern Ireland) Order 1991, Paragraph 5. (See end of Document for details)

(6) So long as the disqualification under sub-paragraph (1) or (2)(a) of the holder of an existing licence continues in force, no licence under Part II of the principal Order to drive large goods vehicles or passenger-carrying vehicles (as the case may be) shall be granted to him and any such licence obtained by him shall be of no effect.

(7) In this paragraph “disqualified”

- (a) in a case of revocation on the ground of the conduct of the holder of the licence as a driver, means disqualified for holding or obtaining a licence under Part II of the principal Order to drive large goods vehicles of the prescribed classes and passenger-carrying vehicles of the prescribed classes; and
- (b) in a case of revocation of a public service vehicle licence on the ground of the conduct of the holder otherwise than as a driver, means disqualified for holding or obtaining a licence under Part II of the principal Order to drive passenger-carrying vehicles of the prescribed classes.

Changes to legislation:

There are currently no known outstanding effects for the The Road Traffic (Amendment) (Northern Ireland) Order 1991, Paragraph 5.