

**EXPLANATORY MEMORANDUM TO**  
**THE MOTOR VEHICLES (DRIVING LICENCES) (AMENDMENT)**  
**REGULATIONS (NORTHERN IRELAND) 2024**

**SR 2024 No. 22**

**1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department for Infrastructure to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under Articles 4(7), 19C(1), (1A)(a) and (f) and (2) and 218 of the Road Traffic (Northern Ireland) Order 1981 and is subject to the negative resolution procedure.

**2. Purpose**

- 2.1. The purpose of these Regulations is to amend the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996 (S.R. 1996 No. 542) to allow individuals who have entry clearance or permission to stay in Northern Ireland (NI) under one of the Ukrainian Visa Schemes (Family, Sponsor or Extension Visa Schemes) to drive on their Ukrainian licence in NI for up to three years (36 months) from the date on which they become resident, instead of the current one year period (12 months), before being required to obtain a NI licence. This would apply only to Ukrainian motor cycle and car licences (Category A and B respectively).

**3. Background**

- 3.1. Driving licences issued by countries outside the EEA are valid for driving in NI for one year from the date on which the licence holder becomes resident. After this period, the driver must obtain a NI licence to continue driving in NI.
- 3.2. Following the illegal invasion of Ukraine by Russia, the Ukraine Visa Schemes (Family, Sponsor and Extension Visa Schemes) were set up to make provisions for those seeking refuge in the UK to be granted a three-year period of stay.
- 3.3. NI put legislation in place in October 2022 to allow the exchange of a Ukrainian licence for a NI licence which allows for the exchange without the need to sit a test. However, the law only permits drivers who took a test in Ukraine before 28 December 2021 to be issued with an automatic licence, as the Ukrainian driver licensing authority does not retain information to confirm whether the test was taken in a manual or an automatic transmission vehicle before this date. Therefore, a significant number of those Ukrainian nationals fleeing Ukraine and arriving in the UK under the Ukraine Visa Schemes may lose the manual entitlement on their NI licence when they exchange a Ukrainian licence one year

after arrival. To gain the manual entitlement, the Ukrainian licence holder would have to take the required test.

- 3.4. These Regulations insert a new regulation (regulation 55ZA) to extend the period for holders of a Ukrainian licence to drive on this Ukrainian licence in NI from one year (12 months) after becoming resident in NI under the terms set out at paragraph 2.1 above, to three years (36 months). After the three-year (36-month) period ends, then the requirements in place today (after one year) would apply. This increase matches the length of the visa they have been granted (Family, Sponsor and Extension visa schemes). This would allow Ukrainian licence holders to continue using their Ukrainian licence in NI for up to three years from the date on which they become resident, or, up to the point in time at which they leave the UK. This extension would only apply to the driving of a vehicle in Category A (motorcycle) and Category B (car).

#### **4. Consultation**

- 4.1. A public consultation was launched on 6th September 2023 and closed on 3rd October 2023. A total of 137 responses were received. The overwhelming majority of responses (131, 96%) agreed with the proposal to extend the period allowed for those holding a Ukrainian driving licence to obtain a NI licence from one year to three years. Of the 6 (4%) individuals who did not agree with the proposal, 3 cited road safety concerns, 2 fell into 'other' (lost their licence) and 1 provided no reason. A synopsis of responses to the consultation was published on 23rd January 2024<sup>1</sup>.

#### **5. Equality Impact**

- 5.1. In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department conducted a screening exercise<sup>2</sup> on the proposal and concluded that it does not have implications for equality of opportunity in any of the groups specified.

#### **6. Regulatory Impact**

- 6.1. A Regulatory Impact Assessment was not considered necessary as the proposal does not result in any costs or savings on business, charities or voluntary basis.

#### **7. Financial Implications**

- 7.1 No financial implications for the Department were identified.

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<sup>1</sup> <https://www.infrastructure-ni.gov.uk/sites/default/files/publications/infrastructure/synopsis-of-responses-a-consultation-on-extending-the-validity-period-of-ukrainian-driving-licences-in-northern-ireland-23-jan-24.pdf>

<sup>2</sup> <https://www.infrastructure-ni.gov.uk/publications/ukrainian-driving-licence-exchange-extension-screening-form>

## **8. Section 24 of the Northern Ireland Act 1998**

- 8.1. The Department has considered the matter of Convention Rights and Community Law and is satisfied that this Statutory Rule is compatible with section 24 of the Northern Ireland Act 1998.

## **9. EU Implications**

- 9.1. This Statutory Rule only applies to Northern Ireland and has no NI Protocol implications.

## **10. Parity or replicatory measure**

- 10.1 The SR is based on similar provisions contained in the GB Statutory Instrument 2023/666.

## **11. Additional information**

- 11.1. None.