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DRAFT STATUTORY INSTRUMENTS

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**2007 No.**

**The Road Traffic (Northern Ireland) Order 2007**

**PART IV**

**DRIVER AND VEHICLE TESTING**

**Tests of competence to drive**

- 44.**—(1) In Article 5(3) of the Order of 1981 (regulations about nature of tests)—
- (a) at the end of sub-paragraph (a) insert “and the administrative arrangements for submitting for such tests,”;
  - (b) in sub-paragraph (b), after “conducted” insert “conditions which must be satisfied during the currency of an appointment, the charging of reasonable fees in respect of applications for appointment or appointments or in connection with any examination or assessment which may be required before appointment or during the currency of any appointment”, and 9
  - (c) after sub-paragraph (b) insert—
    - “(ba) the duty of a person submitting himself for a test to produce, and in prescribed circumstances surrender, any licence previously granted to him,”.
- (2) In Article 5(4) of the Order of 1981 (provision that may be included in regulations under paragraph (3))—
- (a) in sub-paragraph (a) (provision by person submitting himself for driving test of vehicle which, if loading requirements are prescribed, is loaded in accordance with prescribed requirements) for “a vehicle” substitute “a safe and suitable vehicle”;
  - (b) in that sub-paragraph for the words after “the test” substitute “and for requiring that, if the vehicle is a vehicle of a prescribed description, it has been certified in the prescribed manner after a prescribed inspection as satisfying such requirements as may be prescribed,”;
  - (c) for sub-paragraph (b) substitute—
    - “(b) for the charging (whether on the making of an appointment for a test or otherwise) of reasonable fees for or in connection with the test and any inspection of a vehicle required by regulations under paragraph (a) in relation to the test,”.
- (3) In Article 5(5) of the Order of 1981 (driving tests in parts) omit sub-paragraph (b) and the word “and” immediately before it.
- (4) After Article 5(5) insert—
  - “(5ZA) Regulations under paragraph (3)(b) may in particular provide—
    - (a) for the supply by the Department to persons by whom tests of competence to drive, or parts of such tests, may be conducted of forms for certificates evidencing the results of such tests or parts of such tests, and

(b) for the charging of reasonable fees in respect of the exercise of any function conferred or imposed on the Department by the regulations.”.

(5) In Article 8 of the Order of 1981 (repayment of fees) for “A fee” substitute “The whole or any part of a fee”.