
STATUTORY INSTRUMENTS

1996 No. 2824

The Motor Vehicles (Driving Licences) Regulations 1996

PART VII

SUPPLEMENTARY

Miscellaneous

Persons who become resident in Great Britain

74.—(1) A person who becomes resident in Great Britain who is—

- (a) the holder of a relevant permit, and
- (b) not disqualified for holding or obtaining a licence in Great Britain

shall, during the period of one year after he becomes so resident, be treated for the purposes of section 87 of the Traffic Act as the holder of a licence authorising him to drive all classes of small vehicle which he is authorised to drive by that permit.

(2) The following enactments relating to licences or licence holders shall apply in relation to relevant permits or the holders of such permits (as the case may be) subject to modifications in accordance with the following provisions:—

- (a) section 7 of the Offenders Act shall apply as if the references to a licence were references to a relevant permit and as if the words after paragraph (c) thereof were omitted;
- (b) section 27(1), (2) and (3) of the Offenders Act shall apply as if the references to a licence were references to a relevant permit, but with the omission—
 - (i) of any reference to the counterpart of a licence,
 - (ii) in subsection (1) of the words “, before making any order under section 44 of this Act,” and
 - (iii) in subsection (3) of the words “, unless he satisfies the Court that he has applied for a new licence and has not received it”;
- (c) section 42(5) of the Offenders Act shall apply in relation to the holder of a relevant permit as if for the words “endorsed on the counterpart of the licence” onwards there were substituted the words “notified to the Secretary of State”;
- (d) section 47(2) of the Offenders Act shall apply in relation to the holder of a relevant permit, only where the court has ordered him to be disqualified and as if for the words “send the licence” onwards there were substituted the words “send the permit, on its being produced to the court, to the Licensing authority who shall keep the permit until the disqualification has expired or been removed or the person entitled to the permit leaves Great Britain and in any case has made a demand in writing for its return to him”;
- (e) section 164(1), (6) and (8) of the Traffic Act shall apply as if the references to a licence were references to a relevant permit and any reference to a counterpart of a licence were omitted; and

- (f) section 173 of the Traffic Act shall apply as if the reference in paragraph (a) of subsection (2) of that section to any licence under any Part of that Act were a reference to a relevant permit and the reference, in the case of a licence to drive, to any counterpart were omitted.

(3) In this regulation “relevant permit” means—

- (i) a “domestic driving permit”,
- (ii) a “Convention driving permit”, or
- (iii) a “British Forces (BFG) driving licence”,

within the meaning of article 2(7) of the Motor Vehicles (International Circulation) Order 1975 which is—

- (a) for the time being valid for the purposes for which it was issued, and
- (b) is not a domestic driving permit or a British Forces (BFG) driving licence in respect of which any order made, or having effect as if made, by the Secretary of State is for the time being in force under article 2(6) of that Order.

Service personnel

75. The traffic commissioner for the South Eastern Traffic Area is hereby prescribed for the purposes of section 183(6) of the 1988 Act (discharge of Part IV functions in relation to HM Forces).

Northern Ireland licences

76.—(1) The traffic commissioner for the North Western Traffic Area is hereby prescribed for the purposes of section 122(2) of the Traffic Act.

(2) For the purposes of section 122(4) of the Traffic Act, the magistrates' court or sheriff to whom an appeal shall lie by the holder of a Northern Ireland licence, being a person who is not resident in Great Britain and who is aggrieved by the suspension or revocation of the licence or by the ordering of disqualification for holding or obtaining a licence, shall be—

- (a) such a magistrates' court or sheriff as he may nominate at the time he makes the appeal; or
- (b) in the absence of a nomination of a particular court under sub-paragraph (a), the magistrates' court in whose area the office of the traffic commissioner for the North Western Traffic Area is situated.

Statement of date of birth

77.—(1) The circumstances in which a person specified in section 164(2) of the Traffic Act shall, on being required by a police constable, state his date of birth are—

- (a) where that person fails to produce forthwith for examination his licence on being required to do so by a police constable under that section; or
- (b) where, on being so required, that person produces a licence—
 - (i) which the police constable in question has reason to suspect—
 - (a) was not granted to that person;
 - (b) was granted to that person in error; or
 - (c) contains an alteration in the particulars entered on the licence (other than as described in sub-paragraph (b)) made with intent to deceive; or
 - (ii) in which the driver number has been altered, removed or defaced; or

- (c) where that person is a person specified in subsection (1)(d) of that section and the police constable has reason to suspect that he is under 21 years of age.
- (2) In paragraph (1), “driver number” means the number described as the driver number in the licence.