1989 No. 32

ROAD TRAFFIC AND VEHICLES

Vehicle and Driving Records (Evidence) Regulations (Northern Ireland) 1989

Made	*9th February 1989*
Coming into operation . .	*20th March 1989*

The Department of the Environment, in exercise of the powers conferred on it by Articles 190(4) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) (hereinafter referred to as "the Order") and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Vehicle and Driving Records (Evidence) Regulations (Northern Ireland) 1989 and shall come into operation on 20th March 1989.

Matters prescribed under Article 190(4) of the Order

2. The following matters are prescribed for the purposes of Article 190(4) of the Order—

(1) A document being, forming part of, or submitted in connection with, an application for—

(*a*) an appointment for the test;

(*b*) a driving licence or a provisional licence;

(*c*) a vehicle test certificate under Article 33 of the Order;

(*d*) a goods vehicle certificate;

(*e*) a public service vehicle licence or public service vehicle driver's licence under Article 61 or 70 of the Order;

(*f*) a certificate of inspection under Article 67 (large private passenger vehicles) of the Order;

(*g*) a heavy goods vehicle driver's licence under Article 72 of the Order; or

(*h*) an approved driving instructor's certificate of registration or a licence under Article 132(2)(*b*) or 135 of the Order.

(2) Evidence of the result of the test under Article 11(1) or 76(*a*) of the Order.

(3) A driving licence or a provisional licence.

(a) S.R. 1981/154 (N.I. 1)

(4) A driver's licence—

(*a*) granted under Article 70(4) (public service vehicles) of the Order; or

(*b*) granted or issued under Article 72 or 73 of the Order (heavy goods vehicles).

(5) A vehicle test certificate issued under Article 33(2) of the Order.

(6) A goods vehicle certificate.

(7) A public service vehicle licence granted under Article 61 of the Order.

(8) A public service vehicle disc affixed under regulation 7 of the Public Service Vehicles Regulations (Northern Ireland) 1985(**a**).

(9) A certificate of inspection granted under Article 67 (large private passenger vehicles) of the Order.

(10) A notification of refusal to issue or grant a certificate or licence under—

(*a*) Article 33(5) of the Order;

(*b*) regulation 6(1) of the Goods Vehicles (Certification) Regulations (Northern Ireland) 1982(**b**);

(*c*) regulation 8(3) of the Public Service Vehicles Regulations (Northern Ireland) 1985;

(*d*) regulation 5(1) of the Large Private Passenger Vehicles (Certification) Regulations (Northern Ireland) 1982(**c**); or

(*e*) regulation 11 of the Motor Cars (Driving Instruction) Regulations (Northern Ireland) 1974(**d**).

(11) An approved driving instructor's certificate under Article 132(2)(*g*) or licence under Article 135 of the Order.

(12) A notice of intention to revoke a licence under Article 13(1) or (2) of the Order.

(13) A notice revoking or suspending a licence under Article 61(1) (public service vehicle licences), 70(5) (public service vehicle drivers' licences) or 75(1) (heavy goods vehicle drivers' licences) of the Order.

(14) A notice from a court specifying a conviction of a person of an offence specified in Schedule 4 to the Order(**e**) or an order made by a court as a result of such conviction.

Revocation

3. The Driving Licences, Etc. (Evidence) Regulations (Northern Ireland) 1985(**f**) are revoked.

(**a**) S.R. 1985 No. 123 to which there are amendments not relevant to these Regulations
(**b**) S.R. 1982 No. 46 to which there are amendments not relevant to these Regulations
(**c**) S.R. 1982 No. 383 to which there are amendments not relevant to these Regulations
(**d**) S.R. 1974 No. 109 to which there are amendments not relevant to these Regulations
(**e**) As amended by S.I. 1984/1986 (N.I. 15) Arts. 4(2), 6(2) and Schedule 1, paragraph 7(1) and (3)
(**f**) S.R. 1985 No. 252

Sealed with the Official Seal of the Department of the Environment on 9th February 1989.

(L.S.) *Trevor Pearson*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Article 190 of the Road Traffic (Northern Ireland) Order 1981 provides that statements contained in certain documents duly authenticated and purporting to be part of the records maintained by the Department of the Environment shall be admissible in proceedings as evidence of any fact stated therein to the same extent as oral evidence of that fact would be admissible in those proceedings.

These Regulations prescribe the matters in respect of which evidence may be given in this way.

The matters prescribed are documents relating to the licensing and testing of drivers and vehicles, the registration and licensing of approved driving instructors and convictions for offences under the said Order of 1981 (regulation 2).

The Driving Licences, Etc. (Evidence) Regulations (Northern Ireland) 1985 are revoked as a consequence of these Regulations.