1993 No. 105

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Driving Licences) (Heavy Goods and Public Service Vehicles) (Amendment) Regulations (Northern Ireland) 1993

Made	*9th March 1993*
Coming into operation . .	*19th April 1993*

The Department of the Environment, in exercise of the powers conferred on it by Article 4(7) of, and paragraphs 4(1)(*a*) and 7(2)(*b*) of Part I of Schedule 2 to the Road Traffic (Amendment) (Northern Ireland) Order 1991(**a**) 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 Motor Vehicles (Driving Licences) (Heavy Goods and Public Service Vehicles) (Amendment) Regulations (Northern Ireland) 1993 and shall come into operation on 19th April 1993.

Regulations amended

2. The Motor Vehicles (Driving Licences) (Heavy Goods and Public Service Vehicles) Regulations (Northern Ireland) 1991(**b**) are amended as follows—

(1) For regulation 3 substitute—

"*Surrender of licence*

3.—(1) Subject to paragraph (2), if the holder of a licence is disqualified for holding or obtaining an ordinary driving licence under the 1981 Order, or if such a licence is refused or revoked under Article 9 of the 1981 Order, or if he is disqualified under section 34, 35 or 36 of the Road Traffic Offenders Act 1988(**c**) for holding or obtaining a Great Britain (ordinary) driving licence, or if such a licence is refused or revoked under any provision of that law that corresponds to the said Article 9, he shall surrender his first mentioned licence to the Department.

(2) Paragraph (1) shall not apply where the disqualification in relation to the ordinary driving licence is limited as permitted by Article 194(1) of the 1981 Order.".

(a) S.I. 1991/197 (N.I. 3); *see* Article 2(2) for the definition of "the Department" and Sch. 2, para 1 for the definition of "prescribed"

(b) S.R. 1991 No. 99 to which there is an amendment not relevant to these Regulations

(c) 1988 c. 53

(2) In regulation 6 (revocation of licences), for paragraph (1)(*a*) substitute—

"(*a*) liability to epileptic seizures;".

Sealed with the Official Seal of the Department of the Environment on 9th March 1993.

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

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Motor Vehicles (Driving Licences) (Heavy Goods and Public Service Vehicles) Regulations (Northern Ireland) 1991 as follows—

1. Regulation 3 is amended to provide that the requirement to surrender an HGV/PSV licence does not apply where the disqualification in relation to the ordinary driving licence is limited as permitted by Article 194(1) of the Road Traffic (Northern Ireland) Order 1981.

2. Regulation 6(1)(*a*) is amended so that an epileptic attack since attaining the age of 5 is no longer a physical disability which is prescribed for the purposes of paragraph 4(1)(*a*)(i) of Part I of Schedule 2 to the Road Traffic (Amendment) (Northern Ireland) Order 1991. It is replaced by a liability to epileptic seizures.