1994 No. 366

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) Regulations (Northern Ireland) 1994

Made . . . . . *29th September 1994*

Coming into operation . . *21st November 1994*

The Department of the Environment, in exercise of the powers conferred on it by Articles 5(4), 9(2), 19C(2) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of all other powers enabling it in that behalf, and in accordance with Article 19C(3) of that Order with the approval of the Department of Finance and Personnel as regards regulation 2(2), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) (Amendment) Regulations (Northern Ireland) 1994 and shall come into operation on 21st November 1994.

Regulations amended

2. The Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations (Northern Ireland) 1991(**b**) are amended as follows—

(1) In regulation 6(**c**) (disabilities) at the end of paragraph (1)(*d*) there shall be added the words "unless the person in question held, on 1st April 1991, an existing licence and the Department knew of the disability before 1st January 1991".

(2) In regulation 15 (application for tests) in paragraph (2) omit the words "a fee of £48" and add the following sub-paragraphs—

"(*a*) in respect of a test to be conducted on a week-day other than a Saturday—

(i) £48 if the test is to commence before half past four in the afternoon, and

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(**a**) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department" and "prescribed"; Articles 5, 9 and 19C were substituted by Sch. 1 to S.I. 1991/197 (N.I. 3)

(**b**) S.R. 1991 No. 100; relevant amending Regulations are S.R. 1991 No. 280, S.R. 1992 No. 375 and S.R. 1993 No. 106

(**c**) Regulation 6 was amended by S.R. 1992 No. 375, reg. 2(1) and S.R. 1993 No. 106, reg. 2(2)

(ii) £72 if the test is to commence on or after that time;

(*b*) in respect of a test to be conducted on a Saturday, £72''.

(3) In regulation 21 (repayment of fees)—

(*a*) in paragraph (1) for the words ''3 working days'' substitute the words ''3 clear days (excluding Saturdays, Sundays, any bank holiday, Christmas Day or Good Friday)''; and

(*b*) for paragraph (2) substitute—

''(2) In paragraph (1) ''bank holiday'' means a day which is, or is to be, observed as a bank holiday or a holiday under the Banking and Financial Dealings Act 1971(**a**) either generally or in the locality in which the applicant is due to take his test.''.

Sealed with the Official Seal of the Department of the Environment on 29th September 1994.

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

The Department of Finance and Personnel approves regulation 2(2).

Sealed with the Official Seal of the Department of Finance and Personnel on 29th September 1994.

(L.S.) *R. Miller*
Assistant Secretary

(**a**) 1971 c. 80

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations (Northern Ireland) 1991 (''the principal Regulations'') as follows—

1. The principal Regulations prescribe diabetes subject to insulin treatment as one of the relevant disabilities which an applicant for a licence must declare to the Department. These Regulatioans amend the principal Regulations so that diabetes subject to insulin treatment shall not be regarded as a relevant disability in the case of an applicant who held a heavy goods vehicle or public service vehicle driving licence on 1st April 1991 and the Department knew of the disability before 1st January 1991 (regulation 2(1)).

2. By introducing a premium fee for a driving test taken—

(*a*) on or after 4.30 p.m. on a week-day other than a Saturday; and

(*b*) on a Saturday.

The fee for a test to drive is increased from £48 to £72 in respect of these premium fees (regulation 2(2)).

3. By re-defining the period of notice to be given by an applicant cancelling an appointment in order to obtain a refund of test fees, from ''3 working days'' to ''3 clear days (excluding Saturdays, Sundays, any bank holiday, Christmas Day or Good Friday)'' (regulation 2(3)).