1995 No. 152

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 1995

Made	*7th April 1995*
Coming into operation . .	*22nd May 1995*

The Department of the Environment, in exercise of the powers conferred on it by Articles 5(3) and (4) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of every other power 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(3)(*a*) and (*b*), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 1995 and shall come into operation on 22nd May 1995.

Amendment of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1994

2. The Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1994(**b**) shall be amended as follows—

(1) In regulation 2(2) (interpretation)—

(*a*) in sub-paragraph (*a*) for the words "or the Vehicles (Excise) Act 1971" there shall be substituted ", the Vehicles (Excise) Act 1971 or the Vehicle Excise and Registration Act 1994(**c**)"; and

(*b*) in sub-paragraph (*b*)(i) for "section 16 of the Vehicles (Excise) Act 1971" there shall be substituted "section 11 of the Vehicle Excise and Registration Act 1994".

(2) In regulation 13 (persons by whom tests may be conducted) paragraphs (1)(*c*) and (3) shall cease to have effect.

(3) In regulation 15 (fees in respect of tests)—

(*a*) in paragraph (2)(*a*) for "£23·50" there shall be substituted "£25·50";

(*b*) in paragraphs (2)(*b*) and (3) for "£35·50" there shall be substituted "£38·50"; and

(*c*) in paragraph (5) there shall be deleted the words "or (*c*)".

(**a**) S.I. 1981/154 (N.I. 1); *see* Art. 2(2) for definition of "Department" and "prescribed"; Articles 5 and 19C were substituted by Sch. 1 to S.I. 1991/197 (N.I. 3)
(**b**) S.R. 1994 No. 365
(**c**) 1994 c. 22

(4) In regulation 17(1)(*d*) (production of a vehicle for test, etc.) for the words "to the vehicle" there shall be substituted "in the vehicle".

(5) Regulation 19 (period of ineligibility for a subsequent test) shall cease to have effect.

Sealed with the Official Seal of the Department of the Environment on 7th April 1995.

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

The Department of Finance and Personnel approves regulation 2(3)(*a*) and (*b*).

Sealed with the Official Seal of the Department of Finance and Personnel on 7th April 1995.

(L.S.) *J. G. Taylor*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1994 as follows—

1. Regulation 13 is amended to remove the provision that the Department may appoint a driving test examiner in respect of specified categories of persons (regulation 2(2)).

2. The fee payable for a driving test for all types of vehicles except invalid carriages (for which no fee is payable) is increased as follows—
   (*a*) in the case of a test which is due to commence before half past four in the afternoon from £23·50 to £25·50 and;
   (*b*) in the case of a test which is due to commence at or after that time or on a Saturday from £35·50 to £38·50 (regulation 2(3)).

3. Regulation 19, which stipulates that a person who fails a driving test cannot resit the test for at least a month, ceases to have effect (regulation 2(5)).

4. The opportunity has been taken to correct two drafting errors (regulation 2(1) and (4)).