1994 No. 365

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1994

Made . . . . . 29th September 1994
Coming into operation . . 21st November 1994

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The Department of the Environment, in exercise of the powers conferred on it by Articles 4(7) and (8), 5(1), (3) and (4), 8, 9(2) and (4), 11(4) and (5), 13(1) and (3), 14(4), 17(2), 19C(1), 194(8), 214(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of all other powers enabling it in

(a) S.I. 1981/154 (N.I. 1); *see* Article 2(2) for the definition of "Department" and "prescribed"; Articles 4-19D were substituted by Sch. 1 to S.I. 1991/197 (N.I. 3)

that behalf, and in accordance with Article 19C(3) of that Order with the approval of the Department of Finance and Personnel as regards regulations 6 and 15, makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

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

Interpretation

2.—(1) In these Regulations—

"category", in relation to a class of motor vehicles, means a category of motor vehicles of the classes specified in the second column of Schedule 3, and a category identified by a letter means the category corresponding to the letter in the first column of that Schedule;

"controlled by a pedestrian", in relation to a vehicle, means that the vehicle either—

(*a*) is constructed or adapted for use under such control, or

(*b*) is constructed or adapted for use either under such control or under the control of a person carried on it but is not for the time being in use under, or proceeding under, the control of a person carried on it;

"disability" includes disease;

"heavy goods vehicle" has the meaning assigned to "large goods vehicle" in Article 78 of the Order(**a**);

"kerbside weight" means the weight of a vehicle when it carries—

(*a*) no person; and

(*b*) a full supply of fuel in its tank, an adequate supply of other liquids incidental to its propulsion and no load other than the loose tools and equipment with which it is normally equipped;

"licence" means a full licence or provisional licence granted under Part II of the Order other than a large goods vehicle or passenger-carrying vehicle driver's licence as defined in Article 70 of the Order;

"maximum authorised mass" has the same meaning—

(*a*) in relation to goods vehicles as "permissible maximum weight" in Article 19D of the Order; and

(*b*) in relation to any other vehicle or trailer as "maximum gross weight" in regulation 2(1) of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(**b**);

(**a**) Articles 70-79 were substituted by Sch. 3 to S.I. 1991/197 (N.I. 3)
(**b**) S.R. 1989 No. 299 to which there are amendments not relevant to these Regulations

"maximum design speed", in relation to a motor cycle, means the maximum speed which the motor cycle is designed to achieve under its own power on a level road;

"moped" means—

(*a*) a motor cycle (not being a motor vehicle of category K) which has a maximum design speed which does not exceed 30 miles per hour, a kerbside weight which does not exceed 250 kilograms, and, if propelled by an internal combustion engine, an engine the cylinder capacity of which does not exceed 50 cc, or

(*b*) in the case only of motor cycles which were first used before 1st September 1978, a motor cycle which has an engine with a cylinder capacity not exceeding 50 cc and is equipped with pedals by means of which the cycle is capable of being propelled;

"the Order" means the Road Traffic (Northern Ireland) Order 1981;

"vehicle propelled by electrical power" means a vehicle the motive power of which is derived solely from any electrical storage battery carried on the vehicle and not connected to any source of power when the vehicle is in motion; and

"vehicle with automatic transmission" means a vehicle in which the driver is not provided with any means whereby he may, independently of the use of the accelerator or the brakes, vary gradually the proportion of the power being produced by the engine which is transmitted to the road wheels of the vehicle.

(2) In determining for the purposes of these Regulations when a motor cycle is first used, the date of such first use shall be taken to be such date as is the earliest of the undermentioned relevant dates applicable to that motor cycle—

(*a*) in the case of a motor cycle registered under the Vehicles (Excise) Act (Northern Ireland) 1954(**a**), the Vehicles (Excise) Act (Northern Ireland) 1972(**b**), the Roads Act 1920(**c**), the Vehicles (Excise) Act 1949(**d**), the Vehicles (Excise) Act 1962(**e**) or the Vehicles (Excise) Act 1971(**f**), the relevant date is the date on which it was first so registered; and

(*b*) in each of the following cases—

(i) in the case of a motor cycle which is being or has been used under a trade licence as defined in section 16 of the Vehicles (Excise) Act 1971 (otherwise than for the purposes of demonstration or testing or of being delivered from premises of the manufacturer by whom

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(**a**) 1954 c. 17 (N.I.)
(**b**) 1972 c. 10 (N.I.)
(**c**) 1920 c. 72
(**d**) 1949 c. 89
(**e**) 1962 c. 13
(**f**) 1971 c. 10; this Act was extended to Northern Ireland by section 10 of the Finance Act 1991 (c. 31)

it was made, or of a distributor of vehicles or dealer in vehicles to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or to premises of a person obtaining possession thereof under a hiring agreement or hire purchase agreement);

(ii) in the case of a motor cycle which belongs or has belonged to the Crown and which is or was used or appropriated for use for naval, military or air force purposes;

(iii) in the case of a motor cycle which belongs or has belonged to a visiting force or a headquarters or defence organisation to which in each case the Visiting Forces and International Headquarters (Application of Law) Order 1965(**a**) applies;

(iv) in the case of a motor cycle which has been used on roads outside the United Kingdom and has been imported into Northern Ireland; and

(v) in the case of a motor cycle which has been used otherwise than on roads after being sold or supplied by retail and before being registered,

the relevant date is the date of manufacture of the motor cycle.

In this paragraph, "sold or supplied by retail" means sold or supplied otherwise than to a person acquiring solely for the purpose of re-sale or re-supply for a valuable consideration.

(3) The provisions of paragraph 8 of Schedule 8 to the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989 shall apply for determining for the purposes of the definition of "moped" in paragraph (1), whether the maximum speed of a motor cycle does not exceed 30 mph.

PART II

LICENCES

Minimum ages for holding or obtaining licences

3.—(1) Article 17(1) of the Order (disqualification of persons under age) shall have effect as if in the Table therein—

(*a*) in item 2, the age of 17 were substituted for the age of 16 in relation to all motor cycles other than—

(i) mopeds,

(ii) motor cycles which are mowing machines, or

(iii) motor cycles which are vehicles controlled by a pedestrian;

(*b*) in item 3, the age of 16 were substituted for the age of 17 in the case of a person to whom an award of a mobility allowance has been made in

(a) S.I. 1965/1536

pursuance of section 37A of the Social Security (Northern Ireland) Act 1975(**a**) provided that, where the award was made before he attained the age of 16, it is in force when he attains that age;

(*c*) in item 4, in relation to an agricultural tractor which—

(i) is so constructed that the whole of its weight is transmitted to the road surface by means of wheels,

(ii) has an overall width not exceeding 2.45 metres,

(iii) is chargeable with duty under section 1 of the Vehicles (Excise) Act 1971 by reference to paragraph 1 of Schedule 3 to that Act as being an agricultural machine or, by virtue of the provisions of section 7(1) of that Act, is not chargeable with duty thereunder,

(iv) is driven without a trailer attached to it, other than a trailer which has an overall width not exceeding 2.45 metres and which is either a two-wheeled or close-coupled four-wheeled trailer, and

(v) is driven on any road other than a special road within the meaning of the Roads (Northern Ireland) Order 1980(**b**),

the age of 16 were substituted for the age of 17, but in the case of a person who has not passed the test of competence to drive such a tractor, only while—

(A) taking, proceeding to or returning from such a test; or

(B) engaged in the course of agricultural operations on any road which is not a road where the maximum speed limit under Article 50 of the Order is 30 miles per hour or less;

(*d*) in items 5 and 6, the age of 17 were substituted for the ages of 18 and 21 respectively in the case of members of the armed forces of the Crown in relation to any vehicle when being used in the course of urgent work of national importance in accordance with an order of the Defence Council in pursuance of the Defence (Armed Forces) Regulations 1939(**c**), which were continued permanently in force, in the form set out in Part C of Schedule 2 to the Emergency Laws (Repeal) Act 1959(**d**), by section 2 of the Emergency Powers Act 1964(**e**);

(*e*) in item 6, the age of 17 were substituted for the age of 21 in relation to a road roller falling within that item if the roller—

(i) is propelled otherwise than by steam,

(ii) has an unladen weight not exceeding 11,690 kilograms,

(iii) is not constructed or adapted for the conveyance of a load other than the following articles, that is to say, water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools, loose equipment and objects such as are mentioned in paragraph (3),

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(**a**) 1975 c. 15; section 37A was inserted by S.I. 1975/1503 (N.I. 15) Art. 24
(**b**) S.I. 1980/1085 (N.I. 11)
(**c**) S.I. 1939/1304
(**d**) 1959 c. 19
(**e**) 1964 c. 38

and if no wheel of the roller is fitted with a pneumatic, soft or elastic tyre;

(*f*) in item 6, the age of 18 were substituted for the age of 21 in the case of a person employed by a Health and Social Services Board or by the Eastern Ambulance Service, Health and Social Services Trust when driving a vehicle for the purposes of an ambulance service;

(*g*) in item 6, the age of 18 were substituted for the age of 21 in relation to a motor vehicle driven by a constable for the purpose of removing or avoiding obstruction to other road users or danger to other road users or members of the public, for the purpose of safeguarding property, including the motor vehicle and its load, for other similar purposes or for police purposes; and

(*h*) in items 5 and 6, the age of 17 were substituted for the ages of 18 and 21 respectively in the case of a member of the armed forces of the Crown when receiving instruction in the driving of large goods vehicles of any category in preparation for a test of competence prescribed under Article 77 of the Order to drive vehicles of that category, or when taking, proceeding to, or returning from any such test.

(2) For the purposes of sub-paragraph (1)(*c*) any implement fitted to a tractor shall be deemed to form part of the tractor notwithstanding that it is not a permanent or essentially permanent fixture, and in that sub-paragraph—

(i) ''overall width'', in relation to a vehicle, means the width of the vehicle measured between vertical planes parallel to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of any driving mirror and so much of the distortion of any tyre as is caused by the weight of the vehicle; and

(ii) ''close-coupled'', in relation to wheels on the same side of a trailer, means fitted so that at all times while the trailer is in motion they remain parallel to the longitudinal axis of the trailer and that the distance between the centres of their respective areas of contact with the road surface does not exceed 840 millimetres.

(3) For the purposes of sub-paragraph (1)(*e*), the unladen weight of a vehicle shall be treated as including the weight of any object for the time being attached to the vehicle, being an object specially designed to be so attached for the purpose of temporarily increasing the vehicle's gross weight.

(4) In sub-paragraph (1)(*f*) ''ambulance service'' means the carriage of persons to or from a place where they will receive or have received medical or dental treatment, in a vehicle constructed or adapted for such use.

Grant of licences

4.—(1) An application for the grant of a licence may be received and dealt with at any time within the period of two months immediately preceding the date on which the grant of the licence is to take effect.

(2) Subject to paragraph (3) any application for a licence shall be accompanied by—

(i) one clear unmounted facial photograph of the applicant of recent date, approximately 40 millimetres × 35 millimetres in size and endorsed on the back with the applicant's name and address, and

(ii) the appropriate fee as prescribed in regulation 6.

(3) A licence may be granted to a member of the naval, military or air forces of Her Majesty without requiring him to furnish a photograph but such licence shall permit him to drive or ride a motor vehicle only when he is on duty and the motor vehicle is the property of the Crown.

(4) For the purposes of Article 5(1)(*f*) of the Order the period of normal residence in Northern Ireland or, as the case may be, the United Kingdom, during which the holder of an exchangeable licence shall be eligible for the grant of a licence is 5 years.

Grant of licences to drive vehicles in another category

5. If a full licence holder wishes to obtain a licence to drive vehicles of another class in addition to the class of vehicles specified in the licence he shall on payment of the fee prescribed in regulation 6 and subject to Articles 5 and 13(1) of the Order be entitled to have issued to him a new licence for that purpose.

Fees for licences

6. The fees payable for the grant of licences shall be the amounts specified in Schedule 1.

Conditions attached to provisional licences

7.—(1) Subject to the provisions of paragraphs (2), (3) and (4), the holder of a provisional licence shall comply with the following conditions in relation to motor vehicles of a class which he is authorised to drive by virtue of the provisional licence, that is to say he shall not drive or ride such a motor vehicle—

(*a*) otherwise than under the supervision of a qualified driver who is present with him in or on the vehicle;

(*b*) unless a distinguishing mark in the form set out in Schedule 2 is displayed on the vehicle in such manner as to be clearly visible to other persons using the road from within a reasonable distance from the front and from the back of the vehicle;

(*c*) while it is being used to draw a trailer; and

(*d*) in the case of a motor bicycle not having attached thereto a sidecar, while carrying on it another person:

Provided that where the holder of a provisional licence has passed a test which authorises him to be granted a full licence to drive or ride a particular class of vehicles the conditions shall cease to apply in relation to the driving or riding (as the case may be) by him of motor vehicles of that class.

(2) The condition specified in sub-paragraph (1)(*a*) shall not apply when the holder of the provisional licence—

(*a*) is undergoing a test;

(*b*) is driving a vehicle (not being a motor car) constructed to carry only one person and not adapted to carry more than one person;

(*c*) is driving a vehicle the unladen weight of which does not exceed 815 kilograms, being a vehicle propelled by electrical power, constructed or adapted to carry only one person and constructed or adapted for the carriage of goods or burden of any description;

(*d*) is driving a road roller the unladen weight of which does not exceed 3,050 kilograms, being a vehicle constructed or adapted for the carriage of goods or burden of any description; or

(*e*) is riding a motor bicycle, whether or not having attached thereto a sidecar.

(3) The condition specified in sub-paragraph (1)(*c*) shall not apply when the holder of the provisional licence is driving an agricultural tractor, nor shall it prevent the holder of a provisional licence from driving an articulated vehicle.

(4) The condition specified in sub-paragraph (1)(*d*) shall not apply when the holder of the provisional licence is riding a pedal cycle of the tandem type to which additional means of propulsion by mechanical power are attached.

(5) Any holder of a provisional licence need not comply with this regulation during any period in which—

(*a*) he is treated, by virtue of regulation 26, for the purposes of Article 3(1) of the Order, as the holder of a licence; or

(*b*) he is entitled, by virtue of Article 3(1) of the Motor Vehicles (International Circulation) Order (Northern Ireland) 1990(**a**),

to drive motor vehicles of a class which he is authorised to drive by virtue of the provisional licence.

(6) In this regulation—

"leg disability" means a disability which consists solely of any one or more of the following:—

(*a*) the absence of a leg or legs;

(*b*) the deformity of a leg or legs; or

(*c*) the loss of use of a leg or legs.

In this paragraph, reference to a leg includes reference to a foot or part of a leg or foot, and reference to loss of use, in relation to a leg, includes reference to a deficiency of movement or power in the leg; and

"qualified driver" means a person who—

(i) holds a full licence authorising him to drive as a full licence holder a motor vehicle of the same class as the vehicle being driven by the holder of the provisional licence; or

(ii) in the case only of the supervision of the driver of a motor car by a person whose licence is limited, under Article 9(7) of the Order

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(**a**) S.R. 1990 No. 190 as amended by S.R. 1991 No. 477

solely on account of a leg disability to motor vehicles of a particular construction or design or class, holds a full licence authorising him so to drive motor cars of a class falling within the same category as the motor car being driven by the holder of the provisional licence; and

(iii) is at least 21 years of age and has held one of the aforementioned driving licences for at least 3 years.

The requirements specified in sub-paragraph (iii) shall not apply where the holder of the provisional licence is a member of the naval, military or air forces of Her Majesty and is driving on duty a vehicle owned or used by or for the purposes of any service of the Crown.

Restricted provisional licences

8. A provisional licence shall be restricted so as to authorise only the driving of motor vehicles of a class included in category K in any case where the applicant is unable to read in good daylight (with the aid of glasses or contact lenses if worn) at a distance of 20.5 metres, a registration mark which is fixed to a motor vehicle and comprises letters and figures 79.4 millimetres high.

Full licences not carrying provisional entitlement

9. A full licence which authorises its holder to drive certain classes of motor vehicles shall not authorise its holder to drive motor vehicles of all other classes subject to the same conditions as if he were authorised by a provisional licence to drive the last-mentioned vehicles if it is a licence which—

(*a*) is limited to vehicles of a particular class whether pursuant to an application in that behalf made by the holder of the licence or pursuant to Article 9(7) of the Order; or

(*b*) authorises its holder to drive vehicles of a class included in category K only.

Signature of licences

10. A licence shall not be valid until signed by the person to whom it is granted.

Lost or defaced licences

11.—(1) If the holder of a licence—

(*a*) satisfies the Department that—

(i) the licence or its counterpart has been lost or defaced; and

(ii) the holder is entitled to continue to hold the licence; and

(*b*) pays the fee prescribed in regulation 6,

the Department shall on surrender of any licence or counterpart that has not been lost, issue to him a licence in place of the licence or its counterpart and shall endorse upon the counterpart any particulars endorsed upon the original licence or counterpart, as the case may be, and the replacement so issued shall have the same effect as the original.

(2) If at any time while a replacement licence is in force the original licence is found, the person to whom the original licence was issued, if it is in his possession, shall return it to the Department, or if it is not in his possession, but he becomes aware that it is found, shall take all reasonable steps to obtain possession of it and if successful shall return it to the Department.

(3) The obligation in paragraph (2) shall apply in respect of the counterpart of a licence as if for the words "original licence" in each place where they occur there were substituted the words "original counterpart".

Defects in licences

12. A person shall not by writing, drawing or in any other manner, alter, deface, mutilate or add anything to a licence and any licence so altered, defaced, mutilated or added to, shall be void.

PART III

TESTS OF COMPETENCE

Persons by whom tests may be conducted

13.—(1) Tests may be conducted by—

(*a*) examiners appointed for that purpose by the Department;

(*b*) the Secretary of State for Defence and the Chief Constable of the Royal Ulster Constabulary in so far as concerns the testing of persons employed or to be employed by one or other of them to drive motor vehicles; or

(*c*) any person or body appointed by the Department in respect of such categories of persons as the Department may specify.

(2) Any person or body authorised by paragraph (1)(*b*) or (*c*) to conduct tests may, subject to the approval of the Department, authorise suitable persons to act as examiners of those who submit themselves for test.

(3) The Department may at any time revoke an appointment made by it under sub-paragraph (1)(*c*) and the authority to conduct tests shall thereupon cease.

Appointments for tests and notice of cancellation

14.—(1) An application for an appointment to take a test to be conducted by an examiner appointed under 13(1)(*a*) shall be made to the Department on a form issued by the Department.

(2) An application for such an appointment as aforesaid shall be accompanied by such fee in respect of the test as is specified in regulation 15 and the Department shall make any arrangements necessary for the taking of the test.

(3) For the purposes of Article 8(*b*) of the Order (which specifies circumstances in which a fee is paid on application for an appointment for a test may be repaid), notice cancelling an appointment for such a test as is

mentioned in paragraph (1) shall be given to the Department, at the centre from which the test is to be conducted, not less than 3 clear days (excluding Saturdays, Sundays, any bank holiday, Christmas Day or Good Friday) before the date of the appointment.

(4) In paragraph (3) "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.

Fees in respect of tests

15.—(1) The following provisions of this regulation shall apply in the case of a person who submits himself for a test or applies for an appointment for a test.

(2) Subject to paragraph (4), the fee payable in respect of a test to be conducted on a week day other than a Saturday by an examiner appointed under paragraph (1)(*a*) of regulation 13 shall be—

(*a*) in the case of a test which is due to commence before half past four in the afternoon £23·50; and

(*b*) in the case of a test which is due to commence at or after that time, £35·50.

(3) Subject to paragraph (4), the fee payable in respect of a test to be conducted on a Saturday, by an examiner appointed under paragraph (1)(*a*) of regulation 13 shall be £35·50.

(4) No fee shall be payable in respect of a test to be taken in an invalid carriage.

(5) No fee shall be payable in respect of a test conducted by persons or bodies authorised in sub-paragraph (*b*) or (*c*) of regulation 13(1).

Nature of tests

16.—(1) Subject to paragraph (2), the test which a person is required to pass before a licence can be granted to him authorising him to drive a motor vehicle of a class included in any particular category shall be a test carried out on a vehicle of that class which satisfies the person conducting the test—

(*a*) that the person taking the test is fully conversant with the contents of the Highway Code;

(*b*) generally that the person taking the test is competent to drive, without danger to and with due consideration for other road users, the vehicle on which he is tested; and

(*c*) that the person taking the test is able to comply with such of the additional requirements specified in Schedule 4 as are referred to in the third column of Schedule 3 in relation to the category which includes the class of vehicle on which he is tested:

(**a**) 1971 c. 80

Provided that the person conducting the test may be satisfied as to the matters specified in this paragraph where he concludes that the person being tested should only be passed in relation to vehicles of a particular class despite the fact that the test was not conducted on a vehicle of that class.

(2) Where a person passes a test on a vehicle of a class included in any particular category he shall be deemed for the purposes of the Order and of these Regulations competent to drive—

(*a*) all classes of vehicle included in that particular category unless—

(i) the test is passed on a vehicle with automatic transmission and that particular category is B, C1 or D1, in which case he shall be deemed for those purposes competent to drive only such classes of vehicle included in that particular category with automatic transmission, or

(ii) the test is passed on an invalid carriage, in which case he shall be deemed for those purposes competent to drive only such classes of vehicle included in that particular category as are invalid carriages, or

(iii) the test is passed on a vehicle which is adapted to meet the particular needs of the person tested, in which case he shall be deemed for those purposes competent to drive only such classes of vehicle included in that particular category as are so adapted; and

(*b*) all classes of vehicle included in any other category which is referred to in the fourth column of Schedule 3 as being an additional category in relation to that particular category unless—

(i) the test is passed on a vehicle with automatic transmission and the additional category is B, C1, D1, B plus E, C1 plus E or D1 plus E, in which case he shall be deemed for those purposes competent to drive only such classes of vehicle included in the additional category with automatic transmission, or

(ii) the test is passed on an invalid carriage, or

(iii) the test is passed on a vehicle which is adapted to meet the particular needs of the person tested, in which case he shall be deemed for those purposes competent to drive only such classes of vehicle included in the additional category as are so adapted.

Production of a vehicle for test, etc.

17.—(1) A person submitting himself for a test shall—

(*a*) provide for the purposes of the test a motor vehicle, (not being a motor vehicle of a class included in category B plus E, C1 plus E or D1 plus E) which—

(i) is suitable for the purposes of the test, and

(ii) is not fitted with a device designed to permit a person other than the driver to operate the accelerator, unless any pedal or lever by which the device is operated and any other parts which it may be necessary to remove to make the device inoperable by such a person during the test have been removed;

(*b*) produce to the examiner who is to conduct his test, his licence or other driving permit by virtue of which he is entitled to drive in Northern Ireland a motor vehicle of the class included in the category for which the test is to be conducted;

(*c*) sign the examiner's attendance record;

(*d*) except when the test is for a motor bicycle, allow to travel to the vehicle mentioned in sub-paragraph (1)(*a*) during the test—

(i) the person authorised to conduct the test, and

(ii) any person authorised by the Department to attend the test for the purpose of supervising it or otherwise; and

(*e*) when the test is for a motor bicycle, allow the attendance of—

(i) the person authorised to conduct the test, and

(ii) any person authorised by the Department for the purpose of supervising the test or otherwise.

(2) Where a person submitting himself for a test fails to produce a vehicle which complies with paragraph (1) or fails to produce his licence or driving permit as aforesaid or fails to sign the examiner's attendance record, the examiner may refuse to conduct the test.

Evidence of results of tests

18.—(1) A person who passes a test shall be furnished with a certificate to that effect in the form (adapted as the case may require) set out in Part I of Schedule 5.

(2) A person who fails to pass a test shall be furnished with a statement to that effect in the form (adapted as the case may require) set out in Part II of Schedule 5.

(3) An applicant for a full licenece who before the licence is granted is required to satisfy the Department that he has passed a test shall at the time when he applies for the licence deliver the certificate furnished to him under paragraph (1) to the Department for retention.

Period of ineligibility for a subsequent test

19. Subject to the provisions of Article 7(1) of the Order the period during which a person who has submitted himself for a test and failed to pass that test shall be ineligible to submit himself for another test on a vehicle of a class included in the same category shall be one month.

PART IV

SUPPLEMENTARY

Disabilities

20.—(1) The following disabilities are prescribed for the purposes of Article 9(2) of the Order:—

(*a*) epilepsy;

(*b*) severe mental handicap;

(*c*) liability to sudden attacks of disabling giddiness or fainting, other than such attacks falling within sub-paragraph (*d*);

(*d*) liability to sudden attacks of disabling giddiness or fainting which are caused by any disorder or defect of the heart as a result of which the applicant for the licence or, as the case may be, the holder of the licence has a device implanted in his body, being a device which, by operating on the heart so as to regulate its action, is designed to correct the disorder or defect; and

(*e*) inability to read in good daylight (with the aid of glasses or contact lenses, if worn) a registration mark fixed to a motor vehicle which comprises letters and figures 79.4 millimetres high at a distance of—

(i) 20.5 metres, in any case except that mentioned in sub-paragraph (ii); or

(ii) 12.3 metres, in the case of an applicant for a licence authorising the driving of vehicles of a class included in category K only.

(2) Epilepsy is prescribed for the purposes of Article 9(4)(*b*) of the Order and an applicant for a licence suffering from epilepsy shall satisfy the conditions that he shall—

(*a*) have been free from any epileptic attack during the period of one year immediately preceding the date when the licence is granted; or

(*b*) have had an epileptic attack whilst asleep more than three years before the date when the licence is granted and shall have had attacks only whilst asleep between the date of that attack and the date when the licence is granted;

and that the driving of a vehicle by him in accordance with the licence is not likely to be a danger to the public.

(3) The disability prescribed in sub-paragraph (1)(*d*) is prescribed for the purpose of Article 9(4)(*b*) of the Order and an applicant for a licence suffering from that disability shall satisfy the conditions that—

(*a*) the driving of a vehicle by him in pursuance of the licence is not likely to be a source of danger to the public; and

(*b*) he has made adequate arrangements to receive regular medical supervision by a cardiologist (being a supervision to be continued throughout the period of the licence) and is conforming to those arrangements.

(4) The following disability is prescribed for the purposes of sub-paragraphs (*a*) and (*c*) of Article 9(4) of the Order, namely a disability which is not progressive in nature and which consists solely of any one or more of the following—

(*a*) the absence of one or more limbs;

(*b*) the deformity of one or more limbs; and

(*c*) the loss of use of one or more limbs.

(5) The disability prescribed in sub-paragraph (1)(*e*) is prescribed for the purposes of Article 11(5)(*b*)(ii) of the Order.

(6) In this regulation—

(*a*) in sub-paragraph (1)(*b*), the expression "severe mental handicap" means a state of arrested or incomplete development of mind which includes severe impairment of intelligence and social functioning;

(*b*) in sub-paragraph (3)(*b*), the expression "cardiologist" means a registered medical practitioner who specialises in disorders or defects of the heart and who, in that connection, holds a hospital appointment; and

(*c*) in paragraph (4), references to a limb include references to a part of a limb, and the reference to loss of use, in relation to a limb, includes a reference to a deficiency of limb movement or power.

(7) Subject to paragraph (8), the circumstances prescribed for the purposes of paragraph 5 of Article 11 of the Order, under paragraph (4) of that Article, are that the person who is an applicant for, or holder of, a licence—

(*a*) has been disqualified by an order of a court by reason that the proportion of alcohol in his breath, blood or urine exceeded the limit prescribed by virtue of Article 144 of the Order(**a**) by at least two and a half times or that he failed, without reasonable excuse, to provide a specimen when required to do so pursuant to Article 146; and

(*b*) has been disqualified by an order of a court on two or more occasions within any period of 10 years by reason that the proportion of alcohol in his breath, blood or urine exceeded the limit prescribed by virtue of Article 144 of the Order or that he was unfit to drive through drink contrary to Article 143.

(8) In paragraph (7)(*a*) the order of the court shall have been made on or after 1st April 1991 and in paragraph (7)(*b*) at least the last such order shall have been made on or after 1st April 1991.

Furnishing of information

21. The Department shall, upon application being made to it by any constable, provide free of charge a copy of the particulars recorded by it relating to any persons who are disqualified or whose licences are suspended or whose counterparts of licences are endorsed.

Notice of application for removal of disqualification

22. Where a person who has been disqualified for holding or obtaining a licence intends to apply to a court to remove the disqualification he shall, at least 10 clear days before the day on which the court sits, give notice in writing of his intention to make such application—

(*a*) where the disqualification was imposed by order of a court of summary jurisdiction, or of a county court on appeal, to the

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(a) Articles 143, 144 and 146 were substituted by S.I. 1991/197 (N.I. 3) Art. 8

Superintendent of the Royal Ulster Constabulary for the petty sessions district in which the prosecution which resulted in the conviction was originally brought; or

(*b*) where the disqualification was imposed in any other manner, to the Superintendent of the Royal Ulster Constabulary for the petty sessions district in which was committed the offence for which the person was convicted.

Such notice shall set forth the grounds of the application and shall be given by leaving a copy thereof at the office of the Superintendent, or by forwarding the same by post to him at his office, and shall be in the form set out in Schedule 6.

Forces drivers

23. Items 5 and 6 in the Table in Article 17(1) and Article 13(5) of the Order shall not apply to members of the naval, military or air forces of Her Majesty while they are on duty and where the motor vehicle is the property of the Crown.

Effect of changes in classification of vehicles by reason of changed weight limit for motor tricycles

24.—(1) In licences (whether full or provisional) issued before the date of reclassification, any reference to motor vehicles of a group identified by a letter shall be construed for all purposes on and after that date as a reference to motor vehicles of the new group as well as the old group identified by that letter.

(2) In relation to an application for the grant of a licence coming into force on or after the date of reclassification by a person who—

(*a*) before that date held a licence granted under Part II of the Order, or under any enactment which that Part II replaced, or under a relevant external law (as defined in Article 4(10) of the Order), to drive motor vehicles of a class included in an old group; or

(*b*) before that date passed a test to drive motor vehicles of a class included in an old group or a test which by virtue of regulation 16(2) is regarded as a test to drive such vehicles,

and in relation to any licence issued in pursuance of such an application, the licence which he held, or the test which he passed, before that date shall, for the purposes of Articles 5(1) and (7) and 6(2) of the Order (restrictions on the grant of licences, etc.) be regarded as a licence or test, as the case may be, to drive vehicles of a class included in the new group as well as the old group identified by the same letter.

(3) In this regulation, references to "old group" and "new group" are references respectively to the group in question as constituted before and after the date of reclassification and "the date of reclassification" refers respectively to 17th August 1981 when the weight limit for motor tricycles in group C was increased to 425 kilograms unladen and 14th July 1986 when that weight limit was increased to 450 kilograms unladen.

Effect of change in classification from groups to categories

25.—(1) Subject to paragraph (4) in licences (whether full or provisional) issued before 1st January 1991 any reference (including a reference construed in accordance with regulation 24) to motor vehicles of a group specified in column (1) of the table in this regulation shall be construed as a reference to motor vehicles of the category specified opposite thereto in column (2) of that table and licences to drive vehicles of a class or description included in such a group shall authorise the holder to drive motor vehicles of a class included in that category in addition to motor vehicles of a class or description included in that group.

(2) A person who before 1st January 1991 has passed or is regarded as having passed a test to drive motor vehicles of a class or description included in a group specified in column (1) of the said table shall also be regarded as having passed a test to drive motor vehicles of a class included in the category specified opposite thereto in column (2) of that table.

(3) In this regulation "group", in relation to a class or description of motor vehicles, means a group of motor vehicles of the classes or descriptions specified in the second column of Schedule 7 and a group identified by a letter means the group corresponding to the letter in the first column of that Schedule.

TABLE

Column (1) *Group*	Column (2) *Category*
A	B
B	B, limited to vehicles with automatic transmission
C	B1
D	A
E	P
F	F
G	G
H	H
J	B1, limited to invalid carriages
K	K
L	L
M	Trolley vehicles used for the carriage of passengers, with more than 16 seats in addition to the driver's seat
N	N

(4) Paragraph (1) shall not authorise a person to drive motor vehicles used for the carriage of passengers with more than 16 seats in addition to the driver's seat on or after 1st October 1992.

Effect of change in classification on entitlement to drive heavy goods vehicles to which Articles 70 to 79 of the Road Traffic (Northern Ireland) Order 1981 do not apply

26. The holder of a full licence to drive vehicles in categories B and C1 may also drive a heavy goods vehicle of any of the classes listed in regulation 25 Motor Vehicles (Driving Licences) (Large Goods and Passenger-Carrying Vehicles) Regulations (Northern Ireland) 1991(**a**).

Persons who become resident in Northern Ireland

27.—(1) A person who becomes resident in Northern Ireland shall during the period of one year after he becomes so resident be treated for the purposes of Article 3(1) of the Order as the holder of a licence authorising him to drive a motor vehicle of the class which he is authorised to drive by any permit of which he is a holder, if he satisfies the conditions specified in paragraph (2).

(2) The conditions mentioned in paragraph (1) are—

(*a*) the person who becomes resident shall be the holder of a permit which is for the time being valid; and

(*b*) he is not disqualified for holding or obtaining a licence in Northern Ireland.

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

(*a*) Article 197(8) of the Order (powers and duties of a court when it orders a disqualification or an endorsement) shall apply as if for the words "shall also on the production of the licence" onwards there were substituted the words "shall also on the production of the permit retain it and forward it to the Department which shall keep the permit until the disqualification has expired or been removed or the person entitled to the permit leaves Northern Ireland and in any case has made a demand in writing for its return to him";

(*b*) Article 197(3) of the Order (production of licence) shall apply as if the references to a licence included a reference to a permit, but with the omission of sub-paragraph (*b*) and the words "for the purpose of endorsement" where they occur;

(*c*) Article 169(1) of the Order (production of licence to court) shall apply as if the reference to a licence included a reference to a permit, but with the omission of the words "for the purpose of endorsement";

(*d*) Article 194(9) of the Order (duty of a court when it orders a disqualification to be removed) shall apply in relation to the holder of a permit as if for the words "endorsed on the licence" onwards there were substituted the words "notified to the Department";

(*e*) Article 180(2), (3) and (4) of the Order (which authorise a police constable to require the production of a licence) shall apply as if the references to a driving licence or licence included a reference to a permit; and

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(**a**) S.R. 1991 No. 100 to which there are amendments not relevant to these Regulations

(*f*) Article 174(2) of the Order (forgery of documents, etc.) shall apply as if the reference to a licence included a reference to a permit.

(4) In this regulation, ''permit'' means a ''Convention driving permit'' a ''domestic driving permit'' or a ''British Forces (BFG) driving licence'' as defined in Article 3(7) of the Motor Vehicles (International Circulation) Order (Northern Ireland) 1990(**a**) not being a domestic driving permit or a British Forces (BFG) driving licence in the case of which any order made, or having effect as if made, by the Department is for the time being in force under Article 2(*b*) of the said Order.

Revocation

28. The Regulations specified in Schedule 8 are revoked.

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 regulations 6 and 15.

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

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

(**a**) S.R. 1990 No. 190 to which there are amendments not relevant to these Regulations

SCHEDULE 1 (See regulation 6)

Fees for Licences

	Description of Licence	*Fee* £
1.	A first licence (except in the case of a licence issued at item 2) ...	8·00
2.	A first licence granted to an applicant in exchange for a licence, (other than a provisional licence) granted under section 88 of the Road Traffic Act 1972(**a**) or section 97 of the Road Traffic Act 1988(**b**) ...	6·00
3.	A full licence granted to an applicant who has previously been granted a provisional licence ...	Nil
4.	A renewal licence to remain in force for a period of 10 years under Article 15(1)(*a*) of the Order ...	8·00
5.	A renewal licence to remain in force for a period mentioned in Article 15(1)(*b*) of the Order i.e. for a period ending on the applicant's seventieth birthday or for 3 years, whichever is the longer ...	8·00
6.	A renewal licence to remain in force for a period determined under Article 15(1)(*c*) of the Order i.e. granted to an applicant suffering from a relevant or prospective disability ...	1·00
7.	A renewal licence where the applicant is aged 70 years or over ...	Nil
8.	A licence issued under regulation 5 (licences to drive vehicles in another category), or Article 197(7) of the Order (licence issued free from endorsement on surrender of a current licence) ...	5·00
9.	A licence issued in the place of a licence and counterpart granted under regulation 11(1) ...	6·00
10.	A licence granted under Article 15(8) of the Order (issue of a new licence in certain curcumstances on surrender of a licence) (unless no fee is payable) ...	6·00

In this Schedule—

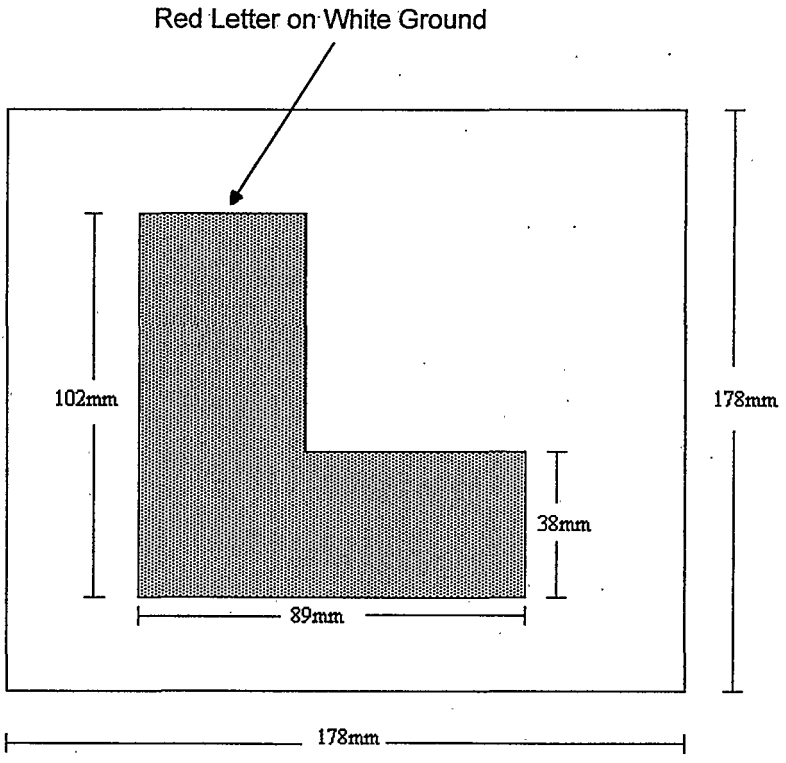
"a first licence" means a licence issued to an applicant who has not previously held a licence granted under Article 13; and

"a renewal licence" means a licence granted upon expiry of a previous licence.

(**a**) 1972 c. 20
(**b**) 1988 c. 52

SCHEDULE 2 (See regulation 7(1)(*b*))

Diagram of Distinguishing Mark to be Displayed on a Motor Vehicle being driven under a Provisional Licence



SCHEDULE 3 (See regulation 16(1))

Categories of Motor Vehicles for Driving Test Purposes

First Column	*Second Column*	*Third Column*	*Fourth Column*
Category	*Class of Vehicle included in the Category*	*Additional Requirements*	*Additional Categories Covered*
A	Motor bicycle (with or without sidecar) but excluding any vehicle in category K or P	1, 2, 3, 4, 5, 6, 8 and 9	B1 and P
B	Motor vehicle with a maximum authorised mass not exceeding 3.5 tonnes and not more than 8 seats in addition to the driver's seat, not included in any other category and including such a vehicle drawing a trailer with a maximum authorised mass not exceeding 750 kg.	1, 2, 3, 4, 5, 6, 7, 8 and 9	B plus E, B1, C1, C1 plus E, D1, D1 plus E, F, K, L, N and P
B1	Motor tricycle with an unladen maximum mass not exceeding 500 kg, and with a maximum design speed exceeding 50 km per hour but excluding any vehicle included in category K, L or P	1, 2, 3, 4, 5, 6, 8 and 9 and, if fitted with a means for reversing, 7	K, L and P
C1	Motor vehicle used for the carriage of goods with a maximum authorised mass exceeding 3.5 tonnes but not exceeding 7.5 tonnes and including such a vehicle drawing a trailer with a maximum authorised mass not exceeding 750 kg.	1, 2, 3, 4, 5, 6, 7, 8 and 9	B, B plus E, B1, C1 plus E, D1, D1 plus E, F, K, L, N and P
D1	Motor vehicle used for the carriage of passengers (but not for hire or reward) with more than 8 seats, but not more than 16 seats, in addition to the driver's	1, 2, 3, 4, 5, 6, 7, 8 and 9	B, B plus E, B1, C1, C1 plus E, D1 plus E, F, K, L, N and P

First Column	Second Column	Third Column	Fourth Column
Category	*Class of Vehicle included in the Category*	*Additional Requirements*	*Additional Categories Covered*
	seat, and including such a vehicle drawing a trailer with a maximum authorised mass not exceeding 750 kg.		
B plus E	Combination of a motor vehicle in category B and a trailer with a maximum authorised mass exceeding 750 kg.		
C1 plus E	Combination of a motor vehicle in category C1 and a trailer with a maximum authorised mass exceeding 750 kg where the maximum authorised mass of the combination does not exceed 8.25 tonnes.		
D1 plus E	Combination of a motor vehicle in category D1 and a trailer with a maximum authorised mass exceeding 750 kg.		
F	Agricultural tractor, but excluding any vehicle included in category H	1, 2, 3, 4, 5, 6, 7, 8 and 9	K
G	Road roller	1, 2, 3, 4, 5, 6, 7, 8 and 9	
H	Track-laying vehicle steered by its tracks	1, 2, 3, 4, 5, 6, 8, 9 and 10	
K	Mowing machine or pedestrian controlled vehicle	1, 2, 3, 4, 5 and 6	
L	Vehicle propelled by electrical power but excluding any vehicle included in category A, K or P	1, 2, 3, 4, 5, 6, 8 and 9 and, if fitted with a means for reversing, 7	K

First Column	*Second Column*	*Third Column*	*Fourth Column*
Category	*Class of Vehicle included in the Category*	*Additional Requirements*	*Additional Categories Covered*
N	Vehicle exempted from duty under section 7(1) of the Vehicles (Excise) Act 1971	1, 2, 3, 4, 5 and 6	
P	Moped	1, 2, 3, 4, 5, 6, 8 and 9	

SCHEDULE 4 (See regulation 16(1))

Additional Requirements for Driving Tests

The additional requirements as to certain of which a candidate for a test must satisfy the person conducting the test in accordance with regulation 16 and Schedule 3 are his ability to do the following—

1. Read in good daylight (with the aid of glasses or contact lenses if worn) a registration mark fixed to a motor vehicle and containing letters and figures 79.4 millimetres high at a distance of—

(*a*) 20.5 metres, in any case except that mentioned below; and

(*b*) 12.3 metres, in the case of a driving test carried out on a vehicle of a class included in category K only.

2. Start the engine of the vehicle.

3. Move away straight ahead or at an angle.

4. Overtake, meet or cross the path of other vehicles and take an appropriate course.

5. Turn right-hand and left-hand corners correctly.

6. Stop the vehicle in an emergency and normally, and in the latter case bring it to rest at an appropriate part of the road.

7. Carry out manoeuvres involving the use of reverse gear.

8. Indicate his intended actions at appropriate times by giving appropriate signals in a clear and unmistakable manner:

Provided that, in the case of a vehicle with a left-hand drive or a disabled driver for whom it is impracticable or undesirable to give signals by arm, there shall be no requirement to give signals which cannot be given by mechanical means.

9. Act correctly and promptly on all signals given by traffic signs and traffic controllers and take appropriate action on signs given by other road users.

10. Drive the vehicle backwards and cause it to face in the opposite direction by means of its tracks.

SCHEDULE 5 (See regulation 18)

Form of Certificate and Statement of Driving Test Result

PART I

ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981

Certificate of passing of a test of competence to drive

.....

has, on a vehicle of a class included in category , passed the test of competence to drive prescribed for the purposes of Article 5 of the Road Traffic (Northern Ireland) Order 1981 as substituted by the Road Traffic (Amendment) (Northern Ireland) Order 1991.

Dated

Signed .....

Appointed by the Department of the Environment for Northern Ireland to conduct the test of competence to drive.

ISSUED BY THE DRIVER AND VEHICLE TESTING AGENCY AN EXECUTIVE AGENCY OF THE DEPARTMENT OF THE ENVIRONMENT

PART II

ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981

Statement of failure to pass a test of competence to drive

.....

has failed to pass the test of competence to drive prescribed for the purposes of Article 5 of the Road Traffic (Northern Ireland) Order 1981 as substituted by the Road Traffic (Amendment) (Northern Ireland) Order 1991.

Dated

Signed .....

Appointed by the Department of the Environment for Northern Ireland to conduct the test of competence to drive.

ISSUED BY THE DRIVER AND VEHICLE TESTING AGENCY AN EXECUTIVE AGENCY OF THE DEPARTMENT OF THE ENVIRONMENT

SCHEDULE 6 (See regulation 22)

Notice of Intention to Apply for Removal of Disqualification

ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981

County of .....

Petty Sessions District of .....

TAKE NOTICE that it is my intention to apply under the Road Traffic (Northern Ireland) Order 1981 to the ..... (name of court) to be held at ..... on the ..... day of ..... 19 ..... at the hour of ..... to remove the disqualification for holding or obtaining a licence under Part II of the said Order imposed on me by order of such court on the ..... day of ..... 19 .....

The grounds of my application are as follows:—*

*Here set out grounds of application

Dated this ..... day of .....

19 .....

Applicant: .....

Address: .....

.....

.....

To: Superintendent, Royal Ulster Constabulary,

at .....

SCHEDULE 7 (See regulation 25)

Groups of Motor Vehicles for Driving Test Purposes

Group	*Class or description of vehicle included in the group*	*Additional groups covered*
A	A vehicle without automatic transmission, of any class not included in any other group	B, C, E, F, K. L and N
B	A vehicle with automatic transmission, of any class not included in any other group	E, F, K, L and N
C	Motor tricycle weighing not more than 450 kg unladen, but excluding any vehicle included in group E, J, K or L	E, K and L
D	Motor bicycle (with or without side-car) but excluding any vehicle included in group E, K or L	C, E and motor cycles in group L
E	Moped	———
F	Agricultural tractor, but excluding any vehicle included in group H	K
G	Road Roller	———
H	Track-laying vehicle steered by its tracks	———
J	Invalid carriage	———
K	Mowing machine or pedestrian controlled vehicle	———
L	Vehicle propelled by electrical power but excluding any vehicle included in group E, J, or K	K
N	Vehicle exempted from duty under section 7(1) of the Vehicles (Excise) Act (Northern Ireland) 1972	———

SCHEDULE 8 (See regulation 28)

Regulations Revoked

Title	*Year and Number*
Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1989	S.R. 1989 No. 238
Motor Vehicles (Driving Licences) (Amendment) (Test Fees) Regulations (Northern Ireland) 1990	S.R. 1990 No. 271
Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 1990	S.R. 1990 No. 311
Motor Vehicles (Driving Licences) (Amendment No. 2) Regulations (Northern Ireland) 1990	S.R. 1990 No. 412
Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 1991	S.R. 1991 No. 98
Motor Vehicles (Driving Licences) (Amendment) (Test Fees) Regulations (Northern Ireland) 1991	S.R. 1991 No. 279
Motor Vehicles (Driving Licences) (Amendment No. 2) Regulations (Northern Ireland) 1991	S.R. 1991 No. 380
Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 1992	S.R. 1992 No. 315
Motor Vehicles (Driving Licences) (Amendment) (Test Fees) Regulations (Northern Ireland) 1992	S.R. 1992 No. 384
Motor Vehicles (Driving Licences) (Amendment) Regulations (Northern Ireland) 1993	S.R. 1993 No. 107
Motor Vehicles (Driving Licences) (Amendment No. 2) Regulations (Northern Ireland) 1993	S.R. 1993 No. 289
Motor Vehicles (Driving Licences) (Test Fees) (Amendment) Regulations (Northern Ireland) 1993	S.R. 1993 No. 390

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations which deal with driving licences, driving tests, and associated matters consolidate with amendments the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1989 and the Regulations which amended them as specified in Schedule 8 to these Regulations.

The effect of the principal amendments is as follows—

(1) (*a*) the new licensing arrangements introduced on 1st April 1991 by virtue of Schedules 1 and 3 to the Road Traffic (Amendment) (Northern Ireland) Order 1991 (N.I. 3) are provided for in Schedule 1 (fees for licences); and

(*b*) new provision is made in that Schedule for—

(i) the grant of a full licence to an applicant who has previously been granted a provisional licence (free of charge); and

(ii) the grant of a licence under Article 15(8) of the Road Traffic (Northern Ireland) Order 1981 (N.I. 1), (issue of a new licence in certain circumstances or surrender of a licence) (currently £6·00 unless no fee is payable) (regulation 6);

(2) duplicate licences will no longer be issued in circumstances of loss or defaced licences, instead the Department shall issue a licence in place of the licence or its counterpart and shall endorse upon the counterpart any particulars endorsed upon the original licence or counterpart as the case may be (regulation 11);

(3) an applicant for a test of competence may opt to have the test conducted on a Saturday or after half past four in the afternoon of a week day; the fee payable in each case will be £35·50 (regulation 15);

(4) a person who has failed to pass a test of competence to drive, will be ineligible to submit himself for another test on a vehicle of a class included in the same category, for a period of one month (regulation 19); and

(5) the conditions which an applicant suffering from epilepsy must satisfy for the grant of a licence are amended so that the period during which he must have been free from any attack is reduced from two years to one year. A person who last had a sleep attack between one and two years before the granting of a licence now falls within paragraph (*a*) of regulation 20(2) rather than paragraph (*b*) (regulation 20).