

## 1985 No. 123

## ROAD TRAFFIC AND VEHICLES

## Public Service Vehicles Regulations (Northern Ireland) 1985

Made . . . . . 29th May 1985

Coming into operation . . . . . 8th July 1985

## ARRANGEMENT OF REGULATIONS

## PART I

## PRELIMINARY

	<i>Regulation</i>
Citation and commencement	1
Revocation	2
Interpretation	3
Certificates of exemption	4

## PART II

## VEHICLE LICENCES

Application, fee and conditions for grant of vehicle licence	5
Inspection of vehicle and grant of licence	6
Licence and disc	7
Refusal of licence	8
Re-inspection of vehicle	9
Refund of fees	10
Removal of vehicle presented for inspection	11
Duplicate licence or disc	12
Conditions of licence	13
Alteration of licence or disc	14
Transfer of licence	15
Change of address of licensee	16
Revocation or suspension of licence	17
Calculation of maximum seating capacity	18
Prohibition of carrying in excess of maximum seating capacity	19
Calculation of maximum standing capacity	20
Prohibition of carrying in excess of maximum standing capacity	21
Exemption	22
Insurance of vehicle	23

## PART III

## VEHICLE DRIVERS' LICENCES

*Regulation*

Application and fee for driver's licence	24
Medical certificate	25
Examination of applicant	26
Form of licence	27
Refusal of licence	28
Duration and renewal of licence	29
Duplicate licence	30
Exchange of licence	31
Revocation or suspension of licence	32
Production of licence	33
Change of address of licence holder	34

## PART IV

## TAXIMETERS

Testing, maintenance, etc.	35
Sealing	36
Construction	37
Misusage and repair	38

## PART V

## GENERAL

Markings on certain vehicles	39
Repair outfit	40
Fire extinguishing apparatus	41
Destination boards	42
Obstructions	43
Obstruction of the driver	44
Inflammable spirit	45
Drawing of trailers	46
Conduct of driver	47
Duties of driver	48
Touting	49
Smoking	50
Conduct of passengers	51
Fares and tickets	52, 53
Carriage of animals	54
Carriage of luggage	55
Carriage of offensive or dangerous material	56
Contravention of regulations 50 to 56	57
Lost property	58 to 60

## SCHEDULES

Page

SCHEDULE 1	Regulations revoked	18
SCHEDULE 2	Certificate of exemption	19
SCHEDULE 3	Items included in inspection	20
SCHEDULE 4	Part I — Licence for a taxi to stand or ply for hire or carry passengers for hire	22
	Part II — Licence for a taxi to carry passengers for hire	23
SCHEDULE 5	Licence for a bus	24
SCHEDULE 6	Licence for driver of a public service vehicle	25
SCHEDULE 7	Fees for vehicle and drivers' licences	26
SCHEDULE 8	Fire extinguishing apparatus	27
SCHEDULE 9	Discs for buses and taxis	28

The Department of the Environment, being a department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to the regulation of the type, description, construction or equipment of vehicles, the regulation and supervision of the working conditions of persons engaged in road transport, and the testing of the roadworthiness of motor vehicles and their trailers, in exercise of the powers conferred by that section, and in exercise of the powers conferred on it by Articles 61(1), (4) and (5), 62(1), 66(1), 70(4) and (5), 80 and 218(1) of the Road Traffic (Northern Ireland) Order 1981(c), Article 10(1) of the Transport (Northern Ireland) Order 1977(d), and of all other powers enabling it in that behalf and with the approval of the Department of Finance and Personnel(e) as regards regulations 5(3), 9(2) and (3), 10, 12(1), 24(3), 30(1) and 31(3) makes the following regulations:

## PART I

## PRELIMINARY

*Citation and commencement*

1. These regulations may be cited as the Public Service Vehicles Regulations (Northern Ireland) 1985 and shall come into operation on 8th July 1985.

*Revocation*

2. The regulations specified in Schedule 1 are revoked.

*Interpretation*

3.—(1) In these regulations—

“bus” means an omnibus, that is, a vehicle seating more than six persons in addition to the driver;

“centre” means a vehicle inspection centre of the Department used by an inspector of vehicles for the inspection of vehicles;

“the Community Recording Equipment Regulation” means Council Regulation (EEC) No. 1463/70 of 20th July 1970 on the introduction of recording equipment in road transport(f) as amended by Council Regulations (EEC)

(a) S.Is. 1972/1811, 1975/1707 and 1977/1718

(b) 1972 c. 68

(c) S.I. 1981/154 (N.I. 1)

(d) S.I. 1977/599 (N.I. 10)

(e) Formerly the Department of Finance. See S.I. 1982/338 (N.I. 6) Art. 3

(f) O.J. No. L164/1 of 27.7.70

Nos. 1787/73(a) and 2828/77(b) and as read with the Community Road Transport Rules (Exemptions) Regulations (Northern Ireland) 1979(c);

“double-decked vehicle” means a vehicle having two decks one of which is wholly or partly above the other and each deck of which is provided with a gangway serving seats on that deck only;

“gangway” means the space provided for obtaining access from any entrance to the passengers’ seats or from any such seats to an exit other than an emergency exit but does not include a staircase or any space in front of a seat which is required only for the use of passengers occupying that seat;

“the Order” means the Road Traffic (Northern Ireland) Order 1981;

“public place” includes a railway station or bus station or an airport;

“registration mark” means the mark indicating the registered number assigned to a vehicle under the Vehicles (Excise) Act (Northern Ireland) 1972(d);

“single-decked vehicle” means a vehicle with only one deck;

“taxi” means a motor hackney carriage, that is, a vehicle seating not more than six persons in addition to the driver;

“vehicle” means a public service vehicle.

(2) The Interpretation Act (Northern Ireland) 1954(e) shall apply to these regulations as it applies to a Measure of the Northern Ireland Assembly.

#### *Certificates of exemption*

4. A certificate of exemption for the purpose of a public service vehicle defined in Article 2(2) of the Order shall be in the form set out in Schedule 2.

## PART II

### VEHICLE LICENCES

#### *Application, fee and conditions for grant of vehicle licence*

5.—(1) An application for a vehicle licence shall be made to the Department on a form issued by the Department.

(2) The applicant shall furnish all relevant particulars and make any relevant declaration specified in such form.

(3) Each application shall be accompanied by the appropriate fee prescribed in paragraph 1 of Schedule 7.

(4) Where an application is made by—

(a) a corporate body with its principal or registered office outside Northern Ireland; or

(b) a person residing outside Northern Ireland,

the applicant shall satisfy the conditions specified in paragraph (5).

(5) The conditions mentioned in paragraph (4) are that the applicant shall—

(a) during the currency of the licence retain a place of business in Northern Ireland;

(a) O.J. No. L181/1 of 4.7.73

(b) O.J. No. L334/5 of 24.12.77

(c) S.R. 1979 No. 121 as amended by S.R. 1980 No. 83 and other amendments not relevant to these regulations

(d) 1972 c. 10 (N.I.)

(e) 1954 c. 33 (N.I.)

- (b) undertake to accept service, at that place, of summonses and other documents relating to matters and offences arising in Northern Ireland in connection with the vehicle for which the licence is applied; and
  - (c) undertake to appear at any court as required by such summons or other document.
- (6) A licence shall not be granted to a person under the age of eighteen years.

#### *Inspection of vehicle and grant of licence*

6.—(1) On being notified in writing by the Department, the applicant shall present the vehicle for inspection in clean condition, together with the registration book and previous licence, if any, at the time and centre specified in the notice.

(2) Where after inspecting the vehicle the Department is satisfied that it complies in all respects with—

- (a) the statutory requirements relating to the construction and condition of motor vehicles, their accessories and equipment; and
- (b) as regards vehicles in which recording equipment is required by Article 3 of the Community Recording Equipment Regulation to be installed and used, the requirements of so much of that Regulation as relates to the installation of recording equipment and the seals to be affixed to such equipment,

it shall grant a licence.

(3) An inspector of vehicles shall determine the maximum passenger capacity of the vehicle in accordance with regulations 18 and 20 and, save in the case of a vehicle mentioned in regulation 22, specify such capacity on the licence and disc.

(4) For the purposes of paragraph (2) the inspection shall include the items in Schedule 3 applicable to the vehicle being inspected.

#### *Licence and disc*

7.—(1) A licence shall be in the form specified in Schedule 4 or 5.

(2) At the time when the licence is granted an inspector of vehicles shall affix a disc to the vehicle.

(3) The disc shall be in the form specified in Schedule 9 and shall be fitted to the vehicle in a conspicuous position on the inside surface of the nearside of the windscreen.

#### *Refusal of licence*

8.—(1) The Department may refuse to grant a licence if—

- (a) the applicant has previously obtained a licence for a vehicle and that licence has been revoked or suspended;
- (b) the applicant has failed to comply with a condition of a licence previously held by him; or
- (c) the applicant has been convicted of an offence under any statutory provision relating to the licensing and regulation of vehicles.

(2) The Department shall refuse to grant a licence if—

- (a) the applicant is not of good character and business repute or his financial position is such that he is not a fit and proper person to hold a licence; or
- (b) the vehicle does not comply with the requirements specified in regulation 6(2).

(3) Where the Department refuses to grant a licence under paragraph (1) or (2) it shall serve written notice on the applicant stating the reasons for refusal.

*Re-inspection of vehicle*

9.—(1) Where a licence is refused under regulation 8(2)(b) and the defects mentioned in the notice are remedied an applicant may make a further application for a licence on a form issued by the Department and the Department shall carry out a further inspection of the vehicle.

(2) The fee payable on such an application shall be the relevant amount prescribed in paragraph 2 of Schedule 7.

(3) Where, however, an application is made under paragraph (1) within 21 days from the date of service of the notice and the vehicle is presented for re-inspection on a date and at a time appointed by the Department, the fee payable shall be the relevant amount prescribed in paragraph 3 of Schedule 7.

*Refund of fees*

10.—(1) The fees paid in pursuance of regulations 5(3) and 9(2) and (3) shall be repaid—

- (a) if no appointment for an inspection of the vehicle is made, or the appointment made is subsequently cancelled by the Department;
- (b) if the person for whom the appointment is made gives to the Department, at the centre where the inspection is to be held, notice cancelling the appointment of not less than 3 clear working days before the date of the appointment;
- (c) if the person for whom the appointment is made keeps the appointment but the inspection does not take place, or is not completed, for reasons attributable neither to him nor to the vehicle presented for inspection;
- (d) if the person for whom the appointment is made satisfies the Department that the vehicle cannot or, as the case may be, could not reasonably be presented for inspection on the date of the appointment due to exceptional circumstances occurring not more than 7 days before the said date and of which notice is given to the Department at the centre where the inspection is or, as the case may be, was to be held, within 3 days of the occurrence thereof.

(2) In sub-paragraphs (1)(b) and (d) respectively, “working day” means a day on which the centre where the inspection is to be held is open to the public and “exceptional circumstances” means an accident, a fire, an epidemic, severe weather, a failure in the supply of essential services or other unexpected happening (excluding a breakdown or mechanical defect in a vehicle or non-delivery of spare parts therefor).

*Removal of vehicle presented for inspection*

11. A person presenting a vehicle for inspection shall cause it to be removed before the closing time of the centre on the day on which the inspection is completed.

*Duplicate licence or disc*

12.—(1) If the owner satisfies the Department that the licence or disc has been lost, or accidentally defaced or destroyed, the Department shall issue to him a duplicate licence or disc so marked. The fee for a duplicate licence shall be as prescribed in paragraph 4 of Schedule 7.

(2) An application for a duplicate licence or disc shall be on a form issued by the Department.

(3) In the case of the loss of a licence or disc, if after the issue of a duplicate licence or disc the original is found, the owner shall take all reasonable steps to obtain it and return it to the nearest centre or to a police station.

*Conditions of licence***13.** The licensee—

- (a) shall not use or permit the use of a vehicle for an illegal purpose;
- (b) shall not deface or mutilate or permit the defacement or mutilation of the licence;
- (c) shall, if required, produce the licence to an inspector of vehicles or a member of the Royal Ulster Constabulary;
- (d) shall at all reasonable times for the purpose of inspection or examination of the vehicle to which the licence relates, produce the vehicle at such time and place as may be specified by an inspector of vehicles and shall afford to an inspector of vehicles full facilities for such inspection or examination including access to his premises for that purpose;
- (e) shall keep the vehicle, its accessories and equipment in good order and repair, and shall take all practical means to ensure that all parts of the mechanism, including the brakes, are free from defects and in efficient working order;
- (f) shall, if an alteration in design or construction to the vehicle has been made since the licence was issued, immediately communicate full particulars of that alteration to the centre nearest to the place where the vehicle is normally kept;
- (g) shall not employ a person to drive a vehicle if he is not the holder of a licence authorising him to drive such a vehicle;
- (h) shall report immediately to the centre nearest to the place where the vehicle is normally kept, particulars of any accident to the vehicle;
- (i) of a vehicle in respect of which a licence is issued in the form specified in Part II of Schedule 4 shall not cause or permit the vehicle to wait within such area as the Department may indicate on the licence except within 45 metres of the licensee's place of business or in order to fulfil an engagement previously entered into at that place of business or to set down a passenger; and
- (j) shall acquaint any person whom he permits to drive the vehicle of the conditions of the licence issued in respect of it.

*Alteration of licence or disc***14.**—(1) A person shall not—

- (a) either by writing, drawing or in any other manner, alter, deface, mutilate or add anything to a licence or disc; or
  - (b) display upon a vehicle any disc which has been altered, defaced, mutilated or added to or upon which the figures or particulars have become illegible by fading or otherwise.
- (2) Any licence or disc altered, defaced, mutilated or added to shall be void.

*Transfer of licence*

**15.**—(1) The owner, on the sale or other change of ownership of a vehicle, shall forward the licence in respect of it together with the name and address of the transferee to the nearest centre and the Department may transfer the licence to the transferee.

(2) In the case of the death or infirmity of mind or body of the owner during the currency of a licence the Department on application by any person may transfer the licence to that person.

(3) Save as provided in paragraph (1) or (2), a licence shall not be transferred and any licence otherwise transferred shall be void as from the date of transfer.

*Change of address of licensee*

16. If during the currency of his licence the owner changes his address, he shall communicate forthwith particulars of the change to the centre nearest to his new address.

*Revocation or suspension of licence*

17.—(1) The Department may revoke or suspend a licence if—

- (a) it has been obtained by misrepresentation;
- (b) the licensee fails to comply with a condition upon which the licence has been granted;
- (c) the licensee is convicted of an offence under the Order or an instrument made under it;
- (d) during the currency of the licence the conduct of the licensee has been such as to render him unsuitable to hold the licence; or
- (e) on an examination under Article 35(2) of the Order breaches of the statutory requirements relating to the use, construction or condition of the vehicle are found by an inspector of vehicles.

(2) In the event of a revocation or suspension under paragraph (1)—

- (a) the Department shall serve on the licensee written notice of the revocation or suspension; and
  - (b) the licensee shall within 7 days from the date of service deliver up the licence and disc at the place specified in the notice.
- (3) Where an inspector of vehicles issues a notice of prohibition under Article 36(1) of the Order he shall—
- (a) remove the licence and disc; and
  - (b) forthwith, by notice in writing served on the driver or the licensee, suspend the licence until the prohibition has been removed.

*Calculation of maximum seating capacity*

18.—(1) The maximum number of passengers who may be seated in a vehicle shall be determined in accordance with paragraph (2).

(2) In determining the number of passengers who may be seated in a bus—

- (a) one passenger shall be counted for each seat length of 400 millimetres; and
- (b) where a continuous seat is provided with arms which separate the seating spaces and the arms are so constructed that they can be either folded back or otherwise put out of use, the continuous seat shall be measured as if arms were not provided.

(3) For the purposes of paragraph (2)—

- (a) a child under 5 years of age who is not occupying a seat shall not count as a passenger; and
- (b) (i) until 1st September 1985 three seated children each of whom is under 15 years of age shall count as two passengers, and
- (ii) on and after 1st September 1985 three seated children each of whom is under 14 years of age shall count as two passengers.

(4) For the purposes of sub-paragraph (3)(b)(i) a child whose fifteenth birthday occurs during a term of a school which he attends shall be deemed to be under 15 years of age for the whole of that term. For the purposes of sub-paragraph (3)(b)(ii) a child



shall be deemed to be under 14 years of age until the last day of August next following his fourteenth birthday.

(5) In determining the number of passengers who may be seated in a taxi, a licence shall be granted for such number of passengers that the vehicle can suitably seat irrespective of whether or not there are 400 millimetres available for each passenger.

Provided that where a taxi is being used in connection with arrangements made by a public authority for carrying children, any five children whose ages are determined in accordance with paragraphs (3)(b) and (4) shall be deemed to be four passengers but not more than one child shall be carried alongside the driver.

#### *Prohibition of carrying in excess of maximum seating capacity*

19. A person shall not drive, or permit to be driven, on a road a vehicle if the number of seated passengers exceeds the number of seats as determined by regulation 18.

#### *Calculation of maximum standing capacity*

20.—(1) Subject to paragraph (3) the maximum number of standing passengers who may be carried in a vehicle shall be determined in accordance with paragraph (2).

(2) The number of passengers who may stand in a vehicle shall not exceed—

(a) one third of the number of passengers for which the vehicle, or, in the case of a double-decked vehicle, the lower deck, has seating capacity, or 8, whichever is the less; or

(b) such greater or lesser number than that provided for in sub-paragraph (a) as determined by an inspector of vehicles and marked on the outside of the vehicle in accordance with regulation 39(1).

(3) Standing passengers shall not be carried in—

(a) a vehicle with a seating capacity for not more than 12 passengers;

(b) a vehicle with a gangway any part of the height of which is less than 1.77 metres;

(c) the upper deck or on any step leading to the upper deck of any double-decked vehicle;

(d) any part of a gangway of a vehicle forward of the rearmost part of the driver's seat; or

(e) any part of a vehicle in which the operator has indicated by a notice, the letters on which are at least 10 millimetres tall and in a colour contrasting with the colour of their background, that no standing shall occur.

#### *Prohibition of carrying in excess of maximum standing capacity*

21. A person shall not drive, or permit to be driven, on a road a vehicle if the number of standing passengers exceeds the maximum specified in relation to that vehicle in regulation 20.

#### *Exemption*

22. Regulations 18 to 21 shall not apply to a vehicle to which Part III of the European Communities (International Passenger Services) Regulations (Northern Ireland) 1981(a) applies.

*Insurance of vehicle*

23. If a policy of insurance or security which complies with the requirements of Part VIII of the Order ceases to have effect during the currency of a vehicle licence, the licensee shall immediately notify the Department in writing and the licence shall be deemed to be suspended as from the date the policy or security, as the case may be, ceases to have effect until the licensee satisfies the Department that a further policy or security is in force in relation to the vehicle.

## PART III

## VEHICLE DRIVERS' LICENCES

*Application and fee for driver's licence*

24.—(1) An application for a driver's licence shall be made to the Department, on a form issued by the Department.

(2) The applicant shall furnish all relevant particulars and make any relevant declaration specified in such form.

(3) An application for a licence shall be accompanied by the appropriate fee prescribed in paragraph 5 of Schedule 7.

(4) On the day and at the time specified by the Department, the applicant shall bring to the centre a vehicle of the type for which he requires a licence.

*Medical certificate*

25.—(1) A first application for a licence shall be accompanied by a certificate signed by a medical practitioner to the effect that the applicant is medically fit to drive the type of vehicle for which he requires the licence.

(2) An applicant shall if requested by the Department furnish with any subsequent application for a licence or, during the currency of a licence, a certificate in accordance with paragraph (1).

*Examination of applicant*

26. Subject to regulation 28(1), a licence shall be granted if the Department is satisfied, after such practical examination as may be required, that the applicant is able to drive the type of vehicle for which he requires a licence.

*Form of licence*

27. A licence shall be in the form set out in Schedule 6.

*Refusal of licence*

28.—(1) The Department shall refuse to grant a licence to an applicant who is—

- (a) unable to read or write or is not clean in dress or person;
- (b) unable to produce a copy of his birth certificate or furnish other satisfactory evidence as to his age;
- (c) unfit by reason of infirmity of mind or body;
- (d) unable to satisfy the Department, that since he attained the age of 5 years, he has not had an epileptic attack; or
- (e) unable to satisfy the Department that he is of good character and is a fit and proper person to act as a driver of a vehicle.

(2) Where the Department refuses to grant a licence under paragraph (1) it shall serve written notice on the applicant stating the reasons for refusal.

*Duration and renewal of licence*

**29.**—(1) A licence to act as a driver of a vehicle shall, if not revoked or suspended, remain in force for 5 years and may be renewed for a further period of 5 years if application is made to the Department as prescribed by regulation 24 within one month of the expiration of the licence.

(2) A licence granted on surrender and revocation of an existing licence shall, unless revoked or suspended, remain in force for the remainder of the period for which the existing licence was granted.

*Duplicate licence*

**30.**—(1) If the driver satisfies the Department that the licence has been lost, or accidentally defaced or destroyed, the Department shall issue to him a duplicate licence on payment of the fee prescribed in paragraph 6 of Schedule 7.

(2) An application for a duplicate licence shall be on a form issued by the Department.

(3) In the case of the loss of a licence, if at any time after the issue of a duplicate licence the original licence is found, the driver shall take all reasonable steps to obtain it and return it to the nearest centre or to any police station.

*Exchange of licence*

**31.**—(1) Where a person has obtained a licence to act as driver of a type of vehicle he may, subject to the Department being satisfied as specified in regulation 26, on application to the Department and on surrender of his current licence, exchange that licence for one which entitles him to drive a vehicle of a different type.

(2) A licence issued under paragraph (1) will remain in force for the remainder of the period for which the existing licence was granted or may be renewed as provided for in regulation 29.

(3) The fee for that licence shall be as prescribed in paragraph 7 of Schedule 7.

*Revocation or suspension of licence*

**32.**—(1) Without prejudice to regulation 36(2), the Department may revoke or suspend a licence if—

- (a) it has been obtained by misrepresentation;
- (b) the licensee fails to comply with a condition upon which the licence has been granted;
- (c) the licensee has been convicted of an offence under the Order or an instrument made under it;
- (d) the licensee is unable to carry out his duties without risk to the public;
- (e) during the currency of the licence the conduct of the licensee has been such as to render him unsuitable to hold the licence.

(2) In the event of revocation or suspension—

- (a) the Department shall serve written notice on the licensee of such revocation or suspension; and
- (b) the licensee shall within 7 days from the date of service deliver up the licence at the place specified in the notice.

*Production of licence*

**33.** The driver of a vehicle shall, during the exercise of his duties have in his possession his driver's licence and shall produce it on demand to an inspector of vehicles or a member of the Royal Ulster Constabulary.

*Change of address of licence holder*

34. If during the currency of his licence, the holder of a driver's licence changes his address, he shall communicate forthwith particulars of the change to the centre nearest to his new address.

## PART IV

## TAXIMETERS

*Testing, maintenance, etc.*

35.—(1) A taximeter fitted to a taxi shall be tested and sealed by an inspector of vehicles.

(2) A taximeter fitted to a taxi shall be approved by the Department, and shall be maintained so as to indicate accurately the fares chargeable.

(3) The taximeter shall be so placed as to be easily seen and read at all times by a passenger in the taxi and shall be sufficiently lighted at night.

(4) The owner or driver shall not use a taxi in standing or plying for hire or to carry passengers for hire unless the taximeter complies with the provisions of paragraphs (1), (2) and (3).

*Sealing*

36.—(1) The owner or driver shall not use a taxi in standing or plying for hire or to carry passengers for hire unless the taximeter is sealed in a manner approved by the Department.

(2) If any seal affixed to a taximeter is missing or not intact the vehicle licence shall be liable to revocation or suspension.

*Construction*

37.—(1) The mechanism driving the distance recording gearing of the taximeter shall not be fitted directly to the wheels of the vehicle.

(2) All connections of the flexible drive or transmission cable connecting the taximeter with the gearbox of the vehicle shall be capable of being sealed.

(3) The flexible drive or transmission cable shall be affixed to the taximeter and the gearbox of the vehicle so that no part of the inner cable can be reached without breaking the seals.

(4) The flexible drive or transmission cable shall be properly secured.

(5) The bolts securing the taximeter to the vehicle shall be sealed.

(6) The owner or driver shall not use a taxi in standing or plying for hire or to carry passengers for hire unless the taximeter complies with the provisions of paragraphs (1) to (5).

*Misusage and repair*

38.—(1) It shall be unlawful to break or otherwise tamper with a seal or mark used in connection with a taximeter, or to tamper with a taximeter or its fittings.

(2) If a taximeter becomes defective the owner or driver shall report the defect to the Department, and shall take immediate steps to have the meter repaired or exchanged.

(3) On completion of repairs or the fitting of a new meter, the owner or driver shall report the fact to the Department and shall present the vehicle to a centre for testing and sealing.

(4) A taximeter shall not be used for more than twelve months from the date of last testing.

## PART V

## GENERAL

*Markings on certain vehicles*

**39.**—(1) The owner or driver of a vehicle other than a taxi which is used solely for the purpose of carrying passengers for hire shall not use it for that purpose unless—

- (a) there shall be marked on the outside of the vehicle with letters not less than 25 millimeters in height, in a colour contrasting with the colour of their background—
  - (i) its maximum seating capacity as determined in accordance with regulation 18, or such lesser seating capacity as may be determined by the owner, and
  - (ii) its maximum standing capacity as determined in accordance with regulation 20, or such lesser standing capacity as may be determined by the owner;
- (b) in the case of a bus, the name and address of the owner is painted in legible letters in a conspicuous position on the nearside of the vehicle.

(2) The owner or driver of a taxi used in standing or plying for hire shall exhibit in a conspicuous position in the vehicle, a statement called a “fares board”, displaying in legible letters and figures, the fares which shall be paid by the passengers.

*Repair outfit*

**40.**—(1) Subject to paragraph (2), the owner of a taxi shall cause the vehicle always to be provided with a tyre fully inflated mounted on a spare rim or wheel, an efficient lifting jack and a wheelbrace or similar tool.

(2) Paragraph (1) shall not apply to a vehicle which is fitted with tyres which are suitable for use in accordance with regulation 95(2) of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976(a).

*Fire extinguishing apparatus*

**41.**—(1) The owner of a vehicle shall ensure that it is provided with suitable and efficient apparatus for extinguishing fire.

(2) The apparatus shall be one or more of the types specified in Schedule 8.

(3) The owner of a vehicle shall ensure that after 31st December 1990 it is provided with suitable and efficient apparatus for extinguishing fire which is one or more of the types specified in Part II of Schedule 8.

(4) The apparatus referred to in paragraph (1) shall be—

- (a) readily available for use;
- (b) clearly marked with the appropriate British Standards Institution specification number; and
- (c) maintained in good and efficient working order.

*Destination boards*

**42.**—(1) The owner of a bus shall display destination and route indicators on the front of the vehicle while it is standing or plying for hire.

(2) No person shall place anything on the vehicle which shall have the effect of obscuring the destination or route indicators.

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(a) S.R. 1976 No. 320 as amended by S.R. 1983 No. 389 and further amending instruments not relevant for the purpose

*Obstructions*

43. The driver of a bus shall not place or permit to be placed—

- (a) an obstruction of any kind in the gangways or passages of the vehicle;
- (b) an obstruction of any kind at the entrance to, or exit of, the vehicle; or
- (c) luggage, parcels or other articles in the vehicle in such a manner as to project through the doors or inner gangways of the vehicle.

*Obstruction of the driver*

44.—(1) A passenger shall not stand or sit in such a position as to be liable to obstruct the driver.

(2) A passenger shall not place luggage, parcels or other articles in such a position as to be liable to obstruct the driver.

*Inflammable spirit*

45.—(1) The driver of a vehicle shall not permit any inflammable spirit to be carried inside the vehicle in such a manner as to be likely to cause danger to passengers.

(2) The driver of a vehicle shall not permit the petrol tank of a vehicle to be filled or any filler cap to be removed while the engine is running.

*Drawing of trailers*

46. The owner or driver of a vehicle shall not cause or permit a trailer to be drawn by the vehicle except where an empty vehicle is being towed by another vehicle in an emergency.

*Conduct of driver*

47. A person employed as driver of a vehicle which is standing, plying or carrying passengers for hire shall conduct himself in an orderly manner, and with civility and propriety towards passengers and intending passengers, and shall not, without reasonable excuse, refuse or neglect to comply with any proper request of passengers or intending passengers.

*Duties of driver*

48.—(1) A person employed as driver of a bus shall—

- (a) cause it to stop when a passenger wishes to alight from or enter it, provided that—
  - (i) in the case of a passenger entering it, the bus is not already occupied by the number of persons authorised by regulations 18 and 20 to be carried in it or such number marked on it in accordance with regulation 39(1),
  - (ii) the bus shall not be stopped at any place where it is likely to be a source of danger or inconvenience to road users,
  - (iii) along a route where bus-stop signs have been erected by the owner, the driver shall not be required to stop the bus except at such signs, and
  - (iv) where a bus which is clearly distinguished by the display of the words “Express” or “Limited Stop” or other expression to the like effect on the front destination indicator or other prominent position on the front of the vehicle and is being operated on a non-stop or limited stop service, of which due public notice has been given, the driver shall not be required to stop the vehicle for the purpose of taking up or setting down passengers except at the terminal point, or such other stopping points on the route as the owner or person authorised by him may appoint;

(b) take all reasonable precautions to ensure the safety of passengers in or alighting from or entering the bus.

(2) A person employed as driver of a taxi, the licence for which contains the condition provided in regulation 13(i), shall not cause the vehicle to wait contrary to that condition.

#### *Touting*

49. A person employed as driver of a vehicle shall not by touting, calling out or otherwise, importune any person to be carried for hire in the vehicle.

#### *Smoking*

50.—(1) A person employed as driver of a vehicle shall not smoke in the vehicle during a journey, or when there are passengers on board.

(2) Except where a vehicle is let on hire for a specific sum, a passenger shall not smoke in a vehicle if there is exhibited in the vehicle a notice that smoking is prohibited.

#### *Conduct of passengers*

51.—(1) While a vehicle is standing, plying or carrying passengers for hire a passenger shall not—

- (a) enter or leave the vehicle while it is in motion or enter or leave it otherwise than by the doors provided for that purpose;
- (b) impede other passengers entering or leaving the vehicle, or interfere with their comfort or with their luggage;
- (c) spit upon or from, or wilfully soil, damage or interfere with, the vehicle, its accessories or equipment;
- (d) obstruct or interfere with the owner, driver or other employee of the owner;
- (e) speak to the driver unless it is necessary to do so;
- (f) throw anything in, onto or from the vehicle, distribute any notices in the vehicle, attach anything to it or hang or hand anything from it;
- (g) carry any offensive or dangerous article, material or substance in the vehicle.

(2) A passenger in a vehicle other than one let on hire for a specific sum shall not consume alcohol.

#### *Fares and tickets*

52.—(1) A passenger in a bus other than one let on hire for a specific sum shall—

- (a) declare, if so requested by the driver, the journey he intends to take or has taken in the vehicle, and pay the fare for the whole of such journey and accept any ticket provided therefor;
- (b) pay on entering the vehicle, the correct fare whether by tokens or otherwise, for the journey he intends taking;
- (c) produce during the journey, on demand being made by the driver or other person authorised by the licensee of the vehicle any ticket issued to him;
- (d) on the expiry of the period for which a ticket is issued to him surrender it to the driver or other person authorised by the licensee of the vehicle;
- (e) give his name and address to a member of the Royal Ulster Constabulary or the driver where he is reasonably suspected by the driver of contravening these regulations; and
- (f) leave the vehicle, if so requested by the driver, on the completion of the journey for which he has paid the fare.

(2) A passenger shall not alter or deface any ticket issued to him for the journey he intends taking.

**53.** A passenger in a taxi shall if so requested by the driver, before, or on entering the vehicle declare the journey he intends to take and before leaving, pay the driver the fare for the journey.

#### *Carriage of animals*

**54.—**(1) A passenger shall not bring an animal onto a bus without the driver's permission.

(2) A passenger who has brought an animal onto a bus shall remove it if it is causing annoyance to other passengers.

#### *Carriage of luggage*

**55.—**(1) A passenger shall not carry any heavy or cumbersome luggage or article in a bus without the driver's permission.

(2) Any luggage or article carried in a bus shall be placed where the driver may direct.

#### *Carriage of offensive or dangerous material*

**56.** The owner or driver of a vehicle shall not permit to be carried in it, any article, material or substance which may be offensive or dangerous to passengers.

#### *Contravention of regulations 50 to 56*

**57.** A passenger who contravenes a requirement contained in regulations 50 to 56 shall leave the vehicle if so requested by the driver or other person authorised by the licensee.

#### *Lost property*

**58.—**(1) Immediately after each journey the driver shall search the vehicle for property which may have been left in it.

(2) A passenger who finds property left in a vehicle shall hand it to the driver.

(3) If not claimed by the owner, the driver shall within 24 hours of finding or receiving it, deposit the property at, in the case of vehicles operated by Ulsterbus Limited or Citybus Limited, the bus station lost property office, or in the other cases, a police station.

**59.—**(1) Any property, not of a perishable nature, found in a vehicle and brought to a police station or, where the vehicle is owned or operated by Ulsterbus Limited or Citybus Limited, to a bus station lost property office, shall be retained for a period of three months.

(2) Where the property is claimed within three months and the police or Ulsterbus Limited or Citybus Limited are satisfied that the claimant is entitled to it, it shall be delivered to him.

(3) If property brought to a police station, or Ulsterbus Limited or Citybus Limited lost property office, is of a perishable nature and is not claimed within twenty-four hours, the property may be destroyed.



60. Any property not claimed within the period of three months shall be sold by public auction.

Sealed with the Official Seal of the Department of the Environment on 29th May 1985.

(L.S.)

*J. M. Irvine*

Assistant Secretary

The Department of Finance and Personnel approves of regulations 5(3), 9(2) and (3), 10, 12(1), 24(3), 30(1) and 31(3).

Sealed with the Official Seal of the Department of Finance and Personnel on 29th May 1985.

(L.S.)

*D. W. Alexander*

Assistant Secretary

## SCHEDULE 1

(See regulation 2)

## REGULATIONS REVOKED

<i>Title</i>	<i>Year and Number</i>
The Public Service Vehicles Regulations (Northern Ireland) 1965	S.R. & O. (N.I.) 1965 No. 161
The Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1969	S.R. & O. (N.I.) 1969 No. 127
The Public Service Vehicles (Amendment) (No. 2) Regulations (Northern Ireland) 1969	S.R. & O. (N.I.) 1969 No. 310
The Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1971	S.R. & O. (N.I.) 1971 No. 349
The Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1976	S.R. 1976 No. 106
The Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1978	S.R. 1978 No. 80
The Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1980	S.R. 1980 No. 322
The Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1982	S.R. 1982 No. 379
The Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1983	S.R. 1983 No. 301
The Public Service Vehicles (Amendment) Regulations (Northern Ireland) 1984	S.R. 1984 No. 254

SCHEDULE 2

(See regulation 4)

CERTIFICATE OF EXEMPTION

ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981

To .....

The Department of the Environment certifies that the vehicle of which you are the owner, and which bears the registration mark ..... is not a public service vehicle within the meaning of Article 2(2) of the Order.

Signature .....

Licensing Office

Department of the Environment

Date .....

## SCHEDULE 3

(See regulation 6(4))

## ITEMS INCLUDED IN INSPECTION

## 1. BRAKING SYSTEMS

## 1.1 Service brake

- 1.1.1 Mechanical condition
- 1.1.2 Efficiency
- 1.1.3 Balance
- 1.1.4 Vacuum pump and compressor

## 1.2 Parking brake

- 1.2.1 Mechanical condition
- 1.2.2 Efficiency

## 2. STEERING AND STEERING WHEEL

- 2.1 Mechanical condition
- 2.2 Steering wheel
- 2.3 Steering play

## 3. VISIBILITY

- 3.1 Windscreen wipers
- 3.2 Screenwashers

## 4. LAMPS, REFLECTORS AND ELECTRICAL EQUIPMENT

## 4.1 Main and dipped-beam headlamps

- 4.1.1 Condition and operation
- 4.1.2 Alignment
- 4.1.3 Switches
- 4.1.4 Visual efficiency

## 4.2 Side lamps

- 4.2.1 Condition and operation
- 4.2.2 Colour and visual efficiency

## 4.3 Stop lamps

- 4.3.1 Condition and operation
- 4.3.2 Colour and visual efficiency

## 4.4 Direction-indicator lamps

- 4.4.1 Condition and operation
- 4.4.2 Colour and visual efficiency
- 4.4.3 Switches
- 4.4.4 Flashing frequency

## 4.5 Rear fog lamps

- 4.5.1 Position
- 4.5.2 Condition and operation
- 4.5.3 Colour and visual efficiency

## 4.6 Reflex reflectors

— Condition and colour

## 4.7 Tell-tales — Trafficators

## 4.8 Electrical wiring

## 5. AXLES, WHEELS, TYRES, SUSPENSION

- 5.1 Axles
- 5.2 Wheels and tyres
- 5.3 Suspension

**6. CHASSIS AND CHASSIS ATTACHMENTS****6.1 Chassis or frame and attachments**

- 6.1.1 General condition
- 6.1.2 Exhaust pipe and silencers
- 6.1.3 Fuel tank and pipes

**6.2 Cab and bodywork**

- 6.2.1 General condition
- 6.2.2 Mounting
- 6.2.3 Doors and locks
- 6.2.4 Floor
- 6.2.5 Driver's seat
- 6.2.6 Running boards

**7. OTHER EQUIPMENT**

- 7.1 Audible warning device
- 7.2 Speedometer (presence of)

**8. NUISANCE**

- 8.1 Check of exhaust system for leaks

**9. VEHICLE IDENTIFICATION**

- 9.1 Registration number plate

**10. SUPPLEMENTARY INSPECTIONS FOR BUSES**

- 10.1 Emergency exit
- 10.2 Heating system
- 10.3 Ventilation system
- 10.4 Seat lay-out
- 10.5 Interior lighting
- 10.6 Tachographs (presence of, and integrity of, seals)

**11. SUPPLEMENTARY INSPECTIONS FOR TAXIS**

- 11.1 Safety belts

SCHEDULE 4

(See regulation 7(1))

PART I

LICENCE FOR A TAXI TO STAND OR PLY FOR HIRE OR CARRY PASSENGERS FOR HIRE

ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981

.....  
.....  
.....

is licensed to use the taxi described below for standing, plying or carrying passengers for hire.

Taxi Licence No. .... Date .....

Description of Vehicle

make of vehicle ..... chassis no. ....

registration mark ..... seating capacity .....

This licence is granted subject to the provisions of the Order and of any regulations from time to time made under it and shall remain in force for the period of one year from the above date unless revoked or suspended before the expiration of that period.

By order of the Department of the Environment.

.....  
Licensing Officer

Change of Address

The licensee shall here insert every change in his permanent address and shall at the same time notify such change to the Department.

Date ..... Address .....

Date ..... Address .....

PART II

LICENCE FOR A TAXI TO CARRY PASSENGERS FOR HIRE

ROAD-TRAFFIC (NORTHERN IRELAND) ORDER 1981

.....

.....

.....

is licensed to use the taxi described below for carrying passengers for hire, but not for standing or plying for hire on any road or public place.

Taxi Licence No. .... Date .....

Description of Vehicle

make of vehicle ..... chassis no. ....

registration mark ..... seating capacity .....

This licence is granted subject to the provisions of the Order and of any regulations from time to time made under it and shall remain in force for the period of one year from the above date unless revoked or suspended before the expiration of that period.

By order of the Department of the Environment.

.....  
Licensing Officer

Change of Address

The licensee shall here insert every change in his permanent address and shall at the same time notify such change to the Department.

Date ..... Address .....

Date ..... Address .....

LICENCE FOR A BUS

ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981

.....  
.....  
.....

is licensed to use the bus described below for standing, plying or carrying passengers for hire.

Bus Licence No. .... Date .....

Description of Vehicle

make of vehicle ..... chassis no. ....

registration mark ..... seating capacity .....

This licence is granted subject to the provisions of the Order and of any regulations from time to time made under it and shall remain in force for the period of one year from the above date unless revoked or suspended before the expiration of that period.

By order of the Department of the Environment.

.....  
Licensing Officer

Change of Address

The licensee shall here insert every change in his permanent address and shall at the same time notify such change to the Department.

Date ..... Address .....

Date ..... Address .....



LICENCE FOR DRIVER OF A PUBLIC SERVICE VEHICLE

ROAD TRAFFIC (NORTHERN IRELAND) ORDER 1981

.....  
.....  
.....

is licensed to act as driver of a public service vehicle of the type described below.

Licence No. .... Date .....

Type of vehicle licensed to drive .....

.....  
.....

This licence is granted subject to the provisions of the Order and of any regulations from time to time made under it and shall remain in force for the period of five years from the above date unless revoked or suspended before the expiration of that period.

By order of the Department of the Environment.

.....  
Licensing Officer

SCHEDULE 7 (See regulations 5(3), 9(2) and (3)  
12(1), 24(3), 30(1) and 31(3))

FEES FOR VEHICLE  
AND DRIVERS' LICENCES

1. *Fee payable with initial application for a vehicle licence (see regulation 5(3))*

(a) Taxi	...	£10·00
(b) Bus constructed or adapted to carry more than 12 passengers	...	£31·50
(c) Bus not so constructed or adapted	...	£22·00
  
2. *Fee payable with application for re-inspection of a vehicle (see regulation 9(2))*

(a) Taxi	...	£10·00
(b) Bus constructed or adapted to carry more than 12 passengers	...	£31·50
(c) Bus not so constructed or adapted	...	£22·00
  
3. *Fee payable with application for re-inspection of a vehicle when application for a re-inspection is made within 21 days of the notice of refusal (see regulation 9(3))*

(a) Taxi	...	£ 5·00
(b) Bus constructed or adapted to carry more than 12 passengers	...	£16·00
(c) Bus not so constructed or adapted	...	£11·00
  
4. *Fee payable for a duplicate vehicle licence (see regulation 12(1))*

(a) Taxi	...	£ 7·00
(b) Bus	...	£ 7·00
  
5. *Fee payable for a driver's licence (see regulation 24(3))*

(a) Taxi	...	£ 5·00
(b) Bus	...	£ 5·00
  
6. *Fee payable for a duplicate driver's licence (see regulation 30(1))*

(a) Taxi	...	£ 2·00
(b) Bus	...	£ 2·00
  
7. *Fee payable for exchange of current driver's licence to one of a different type (see regulation 31(3))*

(a) where application is made for a licence to be issued for the remainder of the period for which the existing licence was granted	...	£ 2·00
(b) all other cases	...	£ 5·00

## SCHEDULE 8 (See regulation 41(2) and (3))

## FIRE EXTINGUISHING APPARATUS

## PART I

1. A foam-producing fire extinguisher complying in all respects with the specification issued by the British Standards Institution in respect of Portable Fire Extinguishers of the Foam Type (Chemical) and numbered B.S. 740: Part I: 1948.

2. A foam-producing fire extinguisher complying in all respects with the specification issued by the British Standards Institution in respect of Portable Fire Extinguishers of the Foam Type (Gas Pressure) and numbered B.S. 740: Part II: 1952.

3. A soda acid chemical fire extinguisher complying in all respects with the specification issued by the British Standards Institution in respect of Portable Fire Extinguishers of the Water Type (Soda Acid) and numbered B.S. 138: 1948.

4. A water fire extinguisher complying in all respects with the specification issued by the British Standards Institution in respect of Portable Fire Extinguishers of the Water Type (Gas Pressure) and numbered B.S. 1382: 1948.

5. A bromochlorodifluoromethane (B.C.F.) fire extinguisher with a liquid capacity of at least 1.35 kilograms, or two such extinguishers having an aggregate such capacity, complying in all respects with the specification issued by the British Standards Institution in respect of Portable Fire Extinguishers of the Halogenated Hydrocarbon Type and numbered B.S. 1721: 1968.

## PART II

A fire extinguisher which complies in all respects with the specification for portable fire extinguishers issued by the British Standards Institution being either B.S. 5423: 1977 published on 31st December 1976 or B.S. 5423: 1980 which took effect on 31st December 1980 and which, in either case, either—

- (a) contains water with a minimum test fire rating of 8A; or
- (b) contains foam with a minimum test fire rating of 8A and 21B; or
- (c) contains and is marked to indicate that it contains halon 1211 or halon 1301 with, in either case, a minimum test fire rating of 21B.

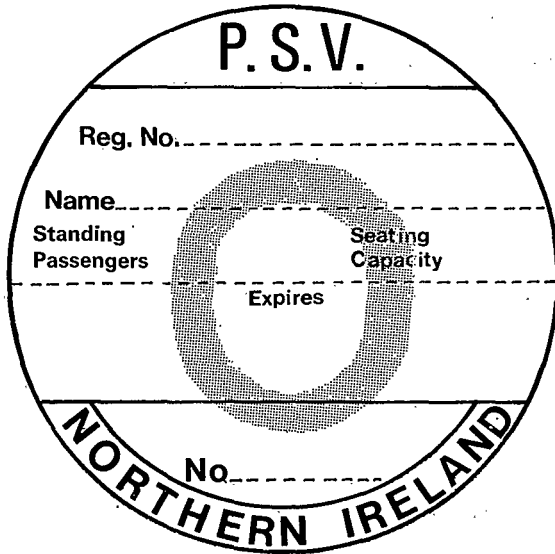
SCHEDULE 9

(See regulation 7(3))

DISCS FOR BUSES AND TAXIS

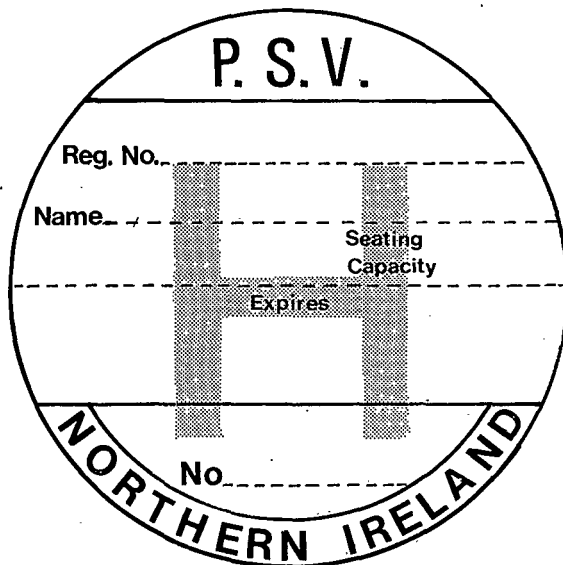
PART I

Disc For A BUS



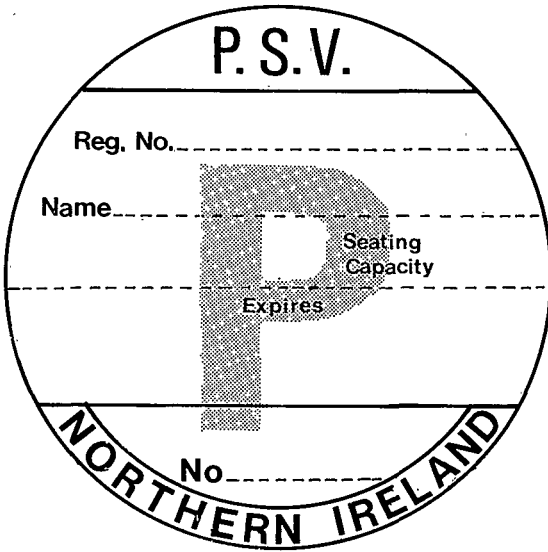
PART II

DISC FOR A TAXI LICENSED TO STAND OR PLY FOR HIRE OR CARRY PASSENGERS FOR HIRE



PART III

DISC FOR A TAXI LICENSED TO CARRY PASSENGERS FOR HIRE



## EXPLANATORY NOTE

*(This note is not part of the regulations.)*

These regulations consolidate with amendments the Public Service Vehicles Regulations (Northern Ireland) 1965 and the regulations which amended them as specified in Schedule 1 to these regulations.

Part II deals with applications for public service vehicle licences, fees therefor, refunds of such fees, the inspection of vehicles, the grant of licences and discs, the conditions under which licences are granted and the circumstances in which they may be revoked or suspended. It also exempts certain vehicles from the requirement to have a public service vehicle licence and requires all vehicles to have a policy of insurance or security in accordance with Part VIII of the Road Traffic (Northern Ireland) Order 1981.

Part III deals with applications for and grant of drivers' licences, fees therefor, production of medical certificates, practical examination of an applicant's ability to drive a vehicle for which he requires a licence, circumstances under which a licence may be refused, revoked or suspended and the duration of a licence. It also requires drivers to notify changes of addresses to the Department and to produce their licence to inspectors of vehicles and members of the Royal Ulster Constabulary.

Part IV deals with the testing, maintenance, sealing and construction of taximeters. It also prohibits the use of a taximeter which has become defective.

Part V requires the owner of a vehicle to comply with conditions in relation to the provision of fire extinguishing apparatus, destination and route indicators, and display of the vehicle's seating and standing passenger-capacity. It also requires the licensee of a taxi to provide a spare wheel, lifting jack and wheelbrace. In addition, it places certain responsibilities on the owner, driver and passengers.

In addition to drafting amendments and the up-dating of some references, the principal amendments are to—

- (a) define "centre", "double-decked vehicle", "gangway" and "single-decked vehicle" (regulation 3(1));
- (b) specify the form of disc which shall be displayed on a vehicle (regulation 7(3) and Schedule 9);
- (c) require the vehicle to be removed from the centre before the end of the day on which the inspection is completed (regulation 11);
- (d) require the surrender of a licence and disc within seven days from the date of service of notice of revocation or suspension (regulations 17(2) and 32(2));
- (e) revise the requirements governing the carriage of children in buses so that—
  - (i) until 1st September 1985, three seated children under fifteen shall count as two passengers, and
  - (ii) after 1st September 1985, three seated children under fourteen shall count as two passengers.

For the purposes of (i), a child whose fifteenth birthday occurs during a school term shall be deemed to be under the age of fifteen and, for the purposes of (ii) a child shall be deemed to be under the age of fourteen until the last day of August next following his fourteenth birthday (regulation 18(3));

- (f) omit the provision that standing passengers may not be carried in buses which either travel in excess of forty miles per hour, or travel on motorways (see regulation 20(3));

- (g) include a provision that a driver may, on surrender of his current licence, exchange it for one which enables him to drive a vehicle of a different type (regulation 31);
- (h) require, after 31st December 1990, that the owner of a vehicle shall ensure that its fire extinguishing apparatus complies with either B.S. 5423: 1977 or B.S. 5423: 1980 for portable fire extinguishers (regulation 41(3));
- (i) require that a passenger shall not consume alcohol, except when travelling in a vehicle which is let on hire for a specific sum (regulation 51(2));
- (j) require a passenger to—
  - (i) surrender his expired ticket (regulation 52(1)(d)), and
  - (ii) give his name and address to either a member of the Royal Ulster Constabulary or the driver where he is suspected of not having paid his fare (regulation 52(1)(e));
- (k) omit the requirement that a reward in relation to the finding of lost property shall be paid to the driver of a vehicle (see regulations 57 to 59).

The opportunity has also been taken to metricate certain imperial units of measurement to comply with Council Directive 80/181/EEC of 20th December 1979 (O.J. L39, page 40) on the approximation of the laws of Member States relating to units of measurement (regulations 13 and 18(2)).

Regulation 41(3) and Schedule 8 refer to specifications issued by “the British Standards Institution”. Copies of the specifications can be obtained from any of the sales outlets operated by the British Standards Institution (B.S.I.) or by post from B.S.I. at Linford Wood, Milton Keynes, MK14 6 LE.