
STATUTORY INSTRUMENTS

2019 No. 194

**EXITING THE EUROPEAN
UNION, NORTHERN IRELAND
ROAD TRAFFIC, NORTHERN IRELAND**

The Driving Licences (Amendment) (Northern
Ireland) (EU Exit) Regulations 2019

<i>Sift requirements satisfied</i>	<i>15th January 2019</i>
<i>Made - - - -</i>	<i>5th February 2019</i>
<i>Laid before Parliament</i>	<i>7th February 2019</i>
<i>Coming into force in accordance with regulation 1</i>	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21(a)(i) and (b) of Schedule 7 to, the European Union (Withdrawal) Act 2018⁽¹⁾. The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Driving Licences (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 and come into force on exit day.

(2) These Regulations extend to Northern Ireland only.

Amendment of the Road Traffic (Northern Ireland) Order 1981

2.—(1) The Road Traffic (Northern Ireland) Order 1981⁽²⁾ is amended as follows.

(2) In article 4(3)(aa) (exceptions), omit “(other than the United Kingdom)”.

(3) In article 5(2)(a)(iii) (tests of competence to drive), omit “(other than the United Kingdom)”.

(4) In article 13(1)(d)(ii) (grant of licences), omit “(other than the United Kingdom)”.

(5) In article 19D (interpretation)—

(a) in paragraph (1), in the definition of “Community Licence”—

(1) 2018 c.16.

(2) S.I. 1981/154 (N.I. 1); relevant amending Regulations are S.R. 1996 No. 426, S.R. 2012 No. 170 and S.R. 2015 No. 6.

- (i) omit “other than the United Kingdom”;
- (ii) omit “(including the United Kingdom)”;
- (b) in paragraph (1), in the definition of “EEA State exchangeable licence”, omit “other than the United Kingdom”;
- (c) in paragraph (1B)(b)—
 - (i) for “another place in the EEA” substitute “an EEA State or Great Britain”;
 - (ii) for “other place” substitute “EEA State or Great Britain”;
- (d) after paragraph (1B) insert—
 - “(1BA) In order to be normally resident in Northern Ireland by virtue of paragraph (1B) (b) the person must return there regularly, except where the person is living in the EEA state or Great Britain in order to carry out a task of a definite duration.”;
- (e) in paragraph (1C)(b)—
 - (i) for “another place in the EEA” substitute “an EEA state”;
 - (ii) for “other place” substitute “EEA state”;
- (f) in paragraph (1D)—
 - (i) omit “Northern Ireland or”;
 - (ii) omit “(1B)(b) or”;
 - (iii) for “another place in the EEA” substitute “the EEA state”.

Amendment of the Road Traffic Offenders (Northern Ireland) Order 1996

3. In article 41(11)(a) of the Road Traffic Offenders (Northern Ireland) Order 1996(3) (disqualification until test is passed), for “another” substitute “an”.

Amendment of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996

4.—(1) The Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(4) are amended as follows.

(2) In regulation 6 (minimum ages for holding or obtaining licences)—

(a) for paragraph (11)(c) substitute—

“(c) in paragraphs (7), (9), (9A) and (9B), “initial qualification” means “initial CPC” within the meaning of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007(5);”;

(b) omit paragraph (11)(d).

(3) In regulation 18(8) (persons by whom practical and unitary tests may be conducted), at the end insert—

“reading that Annex as if—

(a) in the fifth indent of paragraph 1.3 “EU and” was omitted;

(b) in paragraph 3.2.2 “individual” was omitted;

(c) except in paragraph 2.1(d), references to “Member States” or “Member State” were references to the Department.”.

(3) S.I. 1996/1320 (N.I. 10), amended by S.R. 1997 No. 241; there are other amending Regulations but none is relevant.

(4) S.R. 1996 No.542; relevant amending Regulations are S.R. 2013 No. 298, S.R. 2012 No. 451, S.R. 2012 No. 170, S.R. 2009 No. 14, S.R. 2001 No. 402, S.R. 2000 No. 297 and S.R. 1997 No. 383.

(5) S.I. 2007/605, amended by S.I. 2018/1004; there are other amending Regulations but none is relevant.

Amendment of the Road Traffic (New Drivers) (Northern Ireland) Order 1998

5. In article 3 of the Road Traffic (New Drivers) (Northern Ireland) Order 1998⁽⁶⁾ (probationary period for newly qualified drivers)—

- (a) in paragraph (2)(b)(i) for “another” substitute “an”;
- (b) omit paragraph (3).

Amendment of the Road Traffic (Northern Ireland) Order 2007

6. In Schedule 5, paragraph 53(e), of the Road Traffic (Northern Ireland) Order 2007⁽⁷⁾ (endorsement: all drivers: consequential amendments), in the new article 92A(7)(b)(i) of the Road Traffic Offenders (Northern Ireland) Order 1996, for “another” substitute “an”.

Amendment of the Motor Vehicles (Exchangeable Licences) Order (Northern Ireland) 2009

7.—(1) The Motor Vehicles (Exchangeable Licences) Order (Northern Ireland) 2009⁽⁸⁾ is amended as follows.

(2) In article 3(2)(b)(ii) (designation of countries and territories), for “an EEA State (including the United Kingdom)” substitute “the United Kingdom or an EEA State”.

(3) In article 4 (designation of countries and territories)—

- (a) in paragraph (2)(a)(ii), for “an EEA State (including the United Kingdom)” substitute “the United Kingdom or an EEA State”;
- (b) in paragraph (2)(b), for “an EEA State (including the United Kingdom)” substitute “the United Kingdom or an EEA State”.

Signed by authority of the Secretary of State for Transport

5th February 2019

Jesse Norman
Minister of State
Department for Transport

⁽⁶⁾ S.I. 1998/1074 (N.I. 7), to which there are amendments not relevant to these Regulations.

⁽⁷⁾ S.I. 2007/916 (N.I. 10), to which there are amendments not relevant to these Regulations. Schedule 5 to this Order has not yet been commenced.

⁽⁸⁾ S.R. 2009/302, to which there are amendments not relevant to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations relate to driving licences and are made in exercise of the powers conferred by section 8(1) of, and paragraph 21(a)(i) and (b) of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(g)) arising from the withdrawal of the United Kingdom from the European Union.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

An Explanatory Memorandum is published alongside the instrument on www.legislation.gov.uk.