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STATUTORY INSTRUMENTS

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**1981 No. 154**

**Road Traffic (Northern Ireland) Order 1981**

**PART II**

**GENERAL PROVISIONS RELATING TO  
LICENSING OF DRIVERS OF VEHICLES**

*Granting of licences, their form and duration*

**Duration of licences**

**15.**—(1) In so far as a licence authorises its holder to drive motor vehicles of classes other than any prescribed class of goods vehicle or any prescribed class of passenger-carrying vehicle, it shall, unless revoked or surrendered and subject to paragraph (3), remain in force—

- (a) for a period of 10 years;
- (b) where the applicant is aged over 60 years, for a period ending on the seventieth anniversary of the applicant's birth or for a period of 3 years, whichever is the longer; or
- (c) if the Department so determines in the case of a licence granted to a person appearing to be suffering from a relevant or prospective disability for a period of not more than 3 years and not less than one year as the Department may determine;

and any such period shall begin with the date on which the licence is expressed to come into force.

(2) In so far as a licence authorises its holder to drive any prescribed class of goods vehicle or passenger-carrying vehicle, it shall, unless previously revoked, suspended or surrendered, remain in force—

- (a) except in a case falling within any of the following sub-paragraphs, for a period of [<sup>F1</sup>5 years] or for a period ending on the [<sup>F2</sup>sixty-sixth] anniversary of the applicant's date of birth, whichever is the shorter,
- <sup>F3</sup>(b) .....
- (c) except in a case falling within sub-paragraph (e), where the applicant's age at that date will exceed 65 years, for a period of one year,
- (d) except in a case falling within sub-paragraph (c) or (e), if the Department so determines in the case of a licence to be granted to a person appearing to it to be suffering from a relevant or prospective disability, for such period of not more than 3 years and not less than one year as the Department may determine, and
- (e) in the case of a licence granted in exchange for a subsisting licence and in pursuance of an application requesting a licence for the period authorised by this sub-paragraph, for a period equal to the remainder of that for which the subsisting licence was granted,

and any such period shall begin with the date on which the licence in question is expressed to come into force.

Status: Point in time view as at 22/07/2020.

Changes to legislation: Road Traffic (Northern Ireland) Order 1981, Section 15 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

<sup>F4</sup>(3) .....

(4) To the extent that a provisional licence authorises the driving of a motor<sup>F5</sup> bicycle<sup>F6</sup> or moped] of a prescribed class it shall, unless previously surrendered or revoked, remain in force—

- (a) for such period as may be prescribed, or
- (b) if the licence is granted to the holder of a previous licence which was surrendered, revoked or treated as being revoked—
  - (i) for the remainder of the period for which the previous licence would have authorised the driving of such a motor<sup>F5</sup> bicycle<sup>F6</sup> or moped], or
  - (ii) in such circumstances as may be prescribed, for a period equal to that remainder at the time of surrender or revocation.

(5) Where it appears to the Department—

- (a) that a licence granted by it to any person was granted in error or with an error or omission in the particulars specified in the licence, or
- (b) that the counterpart of a licence granted by it to any person is required to be endorsed in pursuance of any statutory provision or was issued with an error or omission in the particulars specified in the counterpart or required to be endorsed on it, or
- (c) that the particulars specified in a licence granted by the Department to any person or in its counterpart do not comply with any requirement imposed since the licence was granted by any provision made by or having effect under any enactment,

the Department may serve notice in writing on that person revoking the licence and requiring him to surrender the licence and its counterpart forthwith to the Department and it shall be the duty of that person to comply with the requirement.

<sup>F7</sup>(5ZA) Where it appears to the Department that a licence holder is not lawfully resident in the United Kingdom, the Department may serve notice in writing on that person revoking the licence and requiring the person to surrender the licence and its counterpart forthwith to the Department, and it is the duty of that person to comply with the requirement.

(5ZB) For the purposes of paragraph (5ZA) a person is not lawfully resident in the United Kingdom if the person requires leave to enter or remain in the United Kingdom but does not have it.]

<sup>F8</sup>(5A) Where—

- (a) the Department is sent under section 97(1AA) of the Road Traffic Act 1988 (c. 52) a licence granted under this Part to a person to drive a motor vehicle of any class, and
- (b) the Department is satisfied that a Great Britain licence to drive a motor vehicle of that or a corresponding class has been granted to that person,

the Department must serve notice in writing on that person revoking the licence granted under this Part.]

(6) Where the name or address of the licence holder as specified in a licence ceases to be correct, its holder must forthwith surrender the licence and its counterpart to the Department<sup>F6</sup>. . . .

(7) A person who without reasonable excuse fails to comply with the duty under paragraph (5) <sup>F9</sup>, (5ZA)] or (6) is guilty of an offence under this Order.

<sup>F10</sup>(7A) Where a person who has a duty under this Article to surrender his licence and its counterpart is not in possession of them in consequence of the fact that he has surrendered them to a constable or authorised person (within the meaning of Part IV of the Offenders Order) on receiving a fixed penalty notice given to him under Article 60 of that Order he does not fail to comply with that duty if he surrenders the licence and its counterpart to the Department immediately on their return.]

[<sup>F6</sup>(8) On the surrender of a licence and its counterpart by a person in pursuance of paragraph (5) or (6), the Department must (subject to the following provisions of this Article) grant a new licence to that person and any licence granted under this paragraph shall be granted free of charge.

(8A) Where the surrendered licence was revoked—

(a) because it was granted in error or in consequence of an error or omission appearing to the Department to be attributable to the fault of the licence holder; or

(b) in consequence of a current disqualification,

paragraph (8) shall not apply but the Department may, if the person is not currently disqualified, grant a new licence to that person on payment of the fee (if any) which is prescribed.

[<sup>F11</sup>(8AA) The Department may not grant a new licence to a person under paragraph (8) or (8A) unless, on the date on which the licence is granted, the person is lawfully resident in the United Kingdom and—

(a) is also normally resident in Northern Ireland, or

(b) has been attending a course of study in Northern Ireland during the period of 6 months ending on that date.

(8AB) For the purposes of paragraph (8AA) a person is not lawfully resident in the United Kingdom if the person requires leave to enter or remain in the United Kingdom but does not have it.]

(8B) The Department may require a person to provide—

(a) evidence of his name, address, sex and date and place of birth, and

(b) a photograph which is a current likeness of him,

before granting a new licence to him under paragraph (8) or (8A).

(9) A replacement licence granted pursuant to paragraph (8) or (8A) shall expire on the date on which the surrendered licence would have expired had it not been surrendered except that, where the period for which the surrendered licence was granted was based on an error with respect to the licence holder's date of birth such that (if that error had not been made) that licence would have been expressed to expire on a different date, the replacement licence shall expire on that different date.]

- F1** Words in art. 15(2)(a) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations \(Northern Ireland\) 2012](#) (S.R. 2012/170), regs. 1(1), **2(4)(a)(i)** (with reg. 4)
- F2** Word in art. 15(2)(a) substituted (19.1.2013) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations \(Northern Ireland\) 2012](#) (S.R. 2012/170), regs. 1(1), **2(4)(a)(i)**
- F3** Art. 15(2)(b) omitted (19.1.2013) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations \(Northern Ireland\) 2012](#) (S.R. 2012/170), regs. 1(1), **2(4)(a)(ii)**
- F4** Art. 15(3) omitted (19.1.2013) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations \(Northern Ireland\) 2012](#) (S.R. 2012/170), regs. 1(1), **2(4)(b)**
- F5** SR 1996/426
- F6** SR 2002/374
- F7** Art. 15(5ZA)(5ZB) inserted (14.7.2014) by [Immigration Act 2014](#) (c. 22), **ss. 47(3)(a)**, 75(3); S.I. 2014/1820, art. 2(e)
- F8** 2003 NI 16
- F9** Word in art. 15(7) inserted (14.7.2014) by [Immigration Act 2014](#) (c. 22), **ss. 47(3)(b)**, 75(3); S.I. 2014/1820, art. 2(e)
- F10** 1996 NI 10
- F11** Art. 15(8AA)-(8AB) inserted (23.2.2015) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations \(Northern Ireland\) 2015](#) (S.R. 2015/6), regs. 1(1), **2(3)**

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**Modifications etc. (not altering text)**

**C1** Art. 15(2)(a) modified (22.7.2020) by [Business and Planning Act 2020 \(c. 16\)](#), **ss. 15(1), 25(2)(b)**

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