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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 302**

**The Motor Vehicles (Exchangeable Licences) Order (Northern Ireland) 2009**

**Citation and commencement**

1. This Order may be cited as the Motor Vehicles (Exchangeable Licences) Order (Northern Ireland) 2009 and shall come into operation on 12<sup>th</sup> October 2009.

**Commencement Information**

**I1** [Art. 1](#) in operation at 12.10.2009, see [art. 1](#)

**Interpretation**

2. In this Order—

- (a) “driving test” means a test corresponding to the practical test of driving skills and behaviour prescribed under Article 5 of the Road Traffic (Northern Ireland) Order 1981(1) as part of the test of competence to drive;
- (b) “Table 1” and “Table 2” mean the Tables bearing those numbers in Schedule 1;
- (c) “vehicle with automatic transmission” means a vehicle in which either—
  - (i) the driver is not provided with any means whereby he may vary the gear ratio between the engine and the road wheels independently of the accelerator and the brakes, or
  - (ii) he is provided with such means but they do not include a clutch pedal or lever which he may operate manually,(and accordingly, a vehicle with manual transmission is any other class of vehicle); and
- (d) a reference to a licensing category is a reference to the category identified by the same letter or combination of letters in Schedule 1 to the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996(2) and a reference to a class of motor vehicle shall include a reference to a subdivision of such a class.

**Commencement Information**

**I2** [Art. 2](#) in operation at 12.10.2009, see [art. 1](#)

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(1) Article 5 was substituted by [S.I. 1991/197 \(N.I. 3\)](#), Schedule 1 and amended by [S.R. 1996 No. 426](#), Schedule 1, paragraph 2, [S.I. 1996/1320 \(N.I. 10\)](#), Schedule 3, paragraph 3 and [S.I. 2007/916 \(N.I. 10\)](#), Articles 31, 32 and 44

(2) [S.R. 1996 No. 542](#) to which there are amendments not relevant to this Order

### Designation of countries and territories

3.—(1) Subject to paragraphs (3) and (4), the countries and territories specified in Table 1 are designated under Article 19D(2)(b) of the Road Traffic (Northern Ireland) Order 1981 as respects licences of the descriptions specified in paragraph (2).

(2) The licences referred to in paragraph (1) are licences which—

- (a) authorise the driving of a class of vehicles corresponding to a class of vehicles included in licensing category A, B, B+E, F, K or P, and
- (b) which have been granted by the licensing authority of a country or territory specified in Table 1—
  - (i) to a person who has passed a driving test in that country or territory, or
  - (ii) by way of exchange for a licence granted in [<sup>F1</sup>the United Kingdom or an EEA State], in any other country or territory specified in Table 1, in a country or territory specified in Table 2 or in a country or territory named in Schedule 2 to a person who had passed a driving test in such a State, country or territory.

(3) A licence of a description specified in paragraph (2)(b)(ii), being a licence granted by way of exchange for a licence granted to a person who had passed a driving test in a country or territory specified in Table 2, shall not be exchangeable in so far as it authorises the driving of a class of vehicles corresponding to a class of vehicles included in licensing category A, notwithstanding that the licence authorises the driving in the country or territory specified in Table 1 of a class of vehicles corresponding to that licensing category.

(4) Notwithstanding that a licence of a description specified in paragraph (2) authorises the driving of vehicles with manual transmission, that licence shall be exchangeable only to the extent that it authorises the driving of vehicles with automatic transmission if it was granted to a person who passed a driving test in a vehicle with automatic transmission.

4.—(1) Subject to paragraph (3), the countries and territories specified in Table 2 are designated under Article 19D(2)(b) of the Road Traffic (Northern Ireland) Order 1981 as respects licences of the descriptions specified in paragraph (2).

(2) The licences referred to in paragraph (1) are licences which—

- (a) authorise the driving of a class of vehicles corresponding to a class of vehicles included in licensing category B, B+E, F, K or P, and which have been granted by the licensing authority of a country or territory specified in Table 2—
  - (i) to a person who has passed a driving test in that country or territory, or
  - (ii) by way of exchange for a licence granted in [<sup>F2</sup>the United Kingdom or an EEA State], in any other country or territory specified in Table 2, in a country or territory specified in Table 1 or in a country or territory named in Schedule 2 to a person who had passed a driving test in such a State, country or territory, and
- (b) authorise the driving of a class of vehicle corresponding to a class of vehicle in licensing category A and which have been granted by the licensing authority of a country or territory specified in Table 2 by way of exchange for a licence granted in [<sup>F3</sup>the United Kingdom or an EEA State], a country or territory specified in Table 1 or a country or territory named in Schedule 2 to a person who had passed a driving test in such a State, country or territory.

(3) Notwithstanding that a licence of a description specified in paragraph (2) authorises the driving of vehicles with manual transmission, that licence shall be exchangeable only to the extent that it authorises the driving of vehicles with automatic transmission if it was granted to a person who passed a driving test in a vehicle with automatic transmission.

#### Textual Amendments

- F1** Words in art. 3(2)(b)(ii) substituted (31.12.2020) by The Driving Licences (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/194), regs. 1(1), **7(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in art. 4(2)(a)(ii) substituted (31.12.2020) by The Driving Licences (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/194), regs. 1(1), **7(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in art. 4(2)(b) substituted (31.12.2020) by The Driving Licences (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/194), regs. 1(1), **7(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

#### Commencement Information

- I3** [Art. 3](#) in operation at 12.10.2009, see [art. 1](#)
- I4** [Art. 4](#) in operation at 12.10.2009, see [art. 1](#)

#### Revocation

**5.** The Motor Vehicles (Exchangeable Licences) Order (Northern Ireland) 1994**(3)** and the Motor Vehicles (Exchangeable Licences) (Amendment) Order (Northern Ireland) 2002**(4)** are revoked.

#### Commencement Information

- I5** [Art. 5](#) in operation at 12.10.2009, see [art. 1](#)

Sealed with the Official Seal of the Department of the Environment on 28<sup>th</sup> August 2009.



*Stanley Duncan*  
A senior officer of the Department of the  
Environment

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**(3)** S.R. 1994 No. 364  
**(4)** S.R. 2002 No. 328

**Changes to legislation:**

There are currently no known outstanding effects for the The Motor Vehicles (Exchangeable Licences) Order (Northern Ireland) 2009.