
STATUTORY INSTRUMENTS

1987 No. 1378

The Motor Vehicles (Driving Licences) Regulations 1987

PART IV

SUPPLEMENTARY

Persons who become resident in Great Britain

25.—(1) A person who becomes resident in Great Britain shall during the period of one year after he becomes so resident be treated for the purposes of section 84(1) and (2) of the 1972 Act as the holder of a licence authorising him to drive motor vehicles of the classes 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 that:—

- (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 Great Britain.

(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) section 105(2) of the 1972 Act (which relates to the duties of a court when they order 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 licensing authority who shall keep the permit until the disqualification has expired or been removed or the person entitled to the permit leaves Great Britain and in any case has made a demand in writing for its return to him”;
- (b) section 101(4) of the 1972 Act (which relates to the duty of a licence holder to produce it to a court) shall apply as if the references to a licence included a reference to a permit, but with the omission of the words, “before making any order under subsection (1) above” and the words “then, unless he satisfies the court that he has applied for a new licence and has not received it”;
- (c) section 95(4) of the 1972 Act (which relates to the duty of a court when they order 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 licensing authority”;
- (d) section 161(1) and (4) of the 1972 Act (which authorise a police constable to require the production of a licence) shall apply as if the references to a licence included a reference to a permit;
- (e) section 164(2) of the 1972 Act (which authorises a police constable to arrest a driver committing certain offences unless the driver gives his name and address or produces his driving licence) shall apply as if the references to a licence included a reference to a permit; and

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(f) section 169(1) of the 1972 Act (which relates to the forgery and misuse of licences) shall apply as if the reference in paragraph (a) of subsection (2) of that section to a licence included a reference to a permit.

(4) In this regulation “permit” means a “domestic driving permit” a “Convention driving permit” or a “British Forces (BFG) driving licence” as defined in article 2(6) of the Motor Vehicles (International Circulation) Order 1975⁽¹⁾ 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 Secretary of State is for the time being in force under article 2(5) of that Order.

⁽¹⁾ S.I. 1975/1208; the relevant amending instruments are S.I. 1980/1095 and 1985/459.