

**2008 No. 3010**

**ROAD TRAFFIC**

**The Mutual Recognition of Driving Disqualifications (Great Britain and Ireland) Regulations 2008**

*Made* - - - - - *19th November 2008*

*Laid before Parliament* *25th November 2008*

*Coming into force in accordance with regulation 1*

The Secretary of State makes the following Regulations, in exercise of the powers conferred by sections 57(2)(b), 57(4)(b) and 72(3) of the Crime (International Co-operation) Act 2003 (a).

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Mutual Recognition of Driving Disqualifications (Great Britain and Ireland) Regulations 2008 and shall come into force on the date specified in Article 2(1) of the Crime (International Co-operation) Act 2003 (Commencement No 4) Order 2008(b).

(2) In these Regulations “the Act” means the Crime (International Cooperation) Act 2003.

**Period served in Ireland**

2.—(1) Subject to paragraph (2), for the purpose of calculating the unexpired period of foreign disqualification pursuant to section 57(2) of the Act, the period to be treated as having been served in Ireland—

- (a) commences on the day the disqualification came into operation in Ireland, and
- (b) ends on the day immediately before the beginning of the relevant period of disqualification specified in section 57(5)(a) of the Act.

(2) In determining the period to be treated as having been served in Ireland, any time during which the operation of the disqualification imposed in Ireland is suspended is to be disregarded.

**Corresponding prescribed conditions**

3. Where the disqualification in Ireland is effective until a driving test condition is satisfied the corresponding condition, for the purposes of section 57(4)(b) of the Act, is the passing of a prescribed test of competence to drive under section 89(3) of the Road Traffic Act 1988(c).

---

(a) 2003 c.32. The Secretary of State is the “appropriate Minister” in relation to Great Britain and “prescribed” is defined in section 74(1).  
(b) S.I. 2008/ 3009 (C.130)  
(c) 1988 c.52

Signed by authority of the Secretary of State

19th November 2008

*Jim Fitzpatrick*  
Parliamentary Under Secretary of State  
Department for Transport

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations are made under Part 3 of the Crime (International Co-operation) Act 2003 (“the Act”), which provides for mutual recognition of driving disqualifications between Member States of the European Union. Part 3 will be commenced in relation to Ireland on a date to be appointed, which will be advertised in the London, Edinburgh and Belfast Gazettes. The commencement date will also be notified on the Department for Transport website.

Regulation 2 prescribes the period of disqualification treated as being served in Ireland.

Regulation 3 prescribes a corresponding condition, for the purposes of section 57(4) (b) of the Act.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Road Safety Policy Unit of the Department for Transport, 1st floor, Great Minster House, 76 Marsham Street, London SW1P 4DR. The impact assessment is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website at [www.opsi.gov.uk](http://www.opsi.gov.uk).

---

© Crown copyright 2008

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s Stationery Office and Queen’s Printer of Acts of Parliament.

£4.00