
STATUTORY INSTRUMENTS

1999 No. 1641

ROAD TRAFFIC

The Driving Licences (Exchangeable Licences) Order 1999

Made - - - - *9th June 1999*

Coming into force - - *2nd July 1999*

The Secretary of State for the Environment, Transport and the Regions, being satisfied that satisfactory provision is made by the laws of the country and the territories specified in this Order as respects the grant of driving licences of the descriptions specified herein and having consulted representative organisations in accordance with section 108(3) of the Road Traffic Act 1988, in exercise of the powers conferred by section 108(2) to (2B) of that Act⁽¹⁾ hereby makes the following Order:-

Citation and commencement

1. These Regulations may be cited as the Driving Licences (Exchangeable Licences) Order 1999 and shall come into force on 2nd July 1999.

Commencement Information

II Art. 1 in force at 2.7.1999, 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 section 89 of the Road Traffic Act 1988 as part of the test of competence to drive;
- (b) “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

(1) 1988 c. 52. The relevant amendments to subsection (1) of section 108 are by the Driving Licences (Community Driving Licence) Regulations 1996 (S.I.1996/1974), Schedule 1, and the Deregulation (Exchangeable Driving Licences) Order 1998 (S.I. 1998/1917, “the 1998 Order”); subsection (2) was substituted and subsections (2A) and (2B) were inserted by the 1998 Order. In subsection (1) see the definitions of “EEA State”, “EEA Agreement” and “exchangeable licence”.

- (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); ^{F1}...

^{F2}(iii)

[^{F3}(c) a reference to a licensing category or sub-category is a reference to the category or sub-category (as the case may be) identified by the same letter or combination of letters or of a letter and number in Schedule 2 to the Motor Vehicles (Driving Licences) Regulations 1999; and

(d) the reference in paragraph (c) to the Motor Vehicles (Driving Licences) Regulations 1999 is, after 18th January 2013, a reference to those Regulations as amended by the Motor Vehicles (Driving Licences) (Amendment) Regulations 2012.]

Textual Amendments

F1 Word in [art. 2\(b\)\(ii\)](#) omitted (11.1.2013) by virtue of [The Driving Licences \(Exchangeable Licences\) \(Amendment\) Order 2013 \(S.I. 2013/22\)](#), arts. 1(2), [4\(1\)\(a\)\(i\)](#)

F2 [Art. 2\(b\)\(iii\)](#) omitted (11.1.2013) by virtue of [The Driving Licences \(Exchangeable Licences\) \(Amendment\) Order 2013 \(S.I. 2013/22\)](#), arts. 1(2), [4\(1\)\(a\)\(ii\)](#)

F3 [Art. 2\(c\)\(d\)](#) inserted (11.1.2013) by [The Driving Licences \(Exchangeable Licences\) \(Amendment\) Order 2013 \(S.I. 2013/22\)](#), arts. 1(2), [4\(1\)\(a\)\(iii\)](#)

Commencement Information

I2 Art. 2 in force at 2.7.1999, see [art. 1](#)

Designation of South Africa

3.—(1) Subject to paragraph (3) below, the Republic of South Africa is designated under section 108(2)(b) of the Road Traffic Act 1988 as respects licences of the description specified in paragraph (2) below.

- (2) The licences referred to in paragraph (1) are licences—
 - (a) which authorise the driving of a class of vehicles corresponding to a class of vehicles included in licensing category [^{F4}AM, B, B+E, F, K or Q or licensing sub-category A1, A2 or A3], and
 - (b) which has been granted by the licensing authority in South Africa—
 - (i) to a person who has passed a driving test in South Africa, or
 - (ii) by way of exchange for a licence granted in the United Kingdom, an EEA State ^{F5}..., a province or territory of Canada or a country or territory named in the Schedule below.

(3) A licence of a description specified in paragraph (2) above shall be exchangeable only in so far as it authorises the driving of vehicles with automatic transmission if it was granted to a person who passed a driving test, whether in South Africa or in a country or territory mentioned in paragraph (2) (b)(ii) above, in a vehicle with automatic transmission notwithstanding that the licence authorises the driving in South Africa of vehicles with manual transmission.

Textual Amendments

F4 Words in [art. 3\(2\)\(a\)](#) substituted (19.1.2013) by [The Driving Licences \(Exchangeable Licences\) \(Amendment\) Order 2013 \(S.I. 2013/22\)](#), arts. 1(2), [4\(1\)\(b\)](#)

F5 Words in art. 3(2)(b)(ii) omitted (31.12.2020) by virtue of *The Driving Licences (Amendment) (EU Exit) Regulations 2018* (S.I. 2018/1251), regs. 1(2), **5(2)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I3 Art. 3 in force at 2.7.1999, see **art. 1**

Designation of Canadian provinces and territories

4.—(1) Subject to paragraph (3) below, each province and territory within the Dominion of Canada is designated under section 108(2)(b) of the Road Traffic Act 1988 as respects licences of the description specified in paragraph (2) below.

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

- (a) which authorise the driving of a class of vehicles corresponding to a class of vehicles included in licensing category [^{F6}AM, B, B+E, F, K or Q or licensing sub-category A1, A2 or A3], and
- (b) which have been granted by the licensing authority in that province or territory—
 - (i) to a person who has passed a driving test in that province or territory, or
 - (ii) by way of exchange for a licence granted in the United Kingdom, an EEA State ^{F7} ..., South Africa or a country or territory named in the Schedule below.

(3) A licence of a description specified in paragraph (2) above shall be exchangeable only in so far as it authorises the driving of vehicles with automatic transmission if it was granted to a person who passed a driving test, whether in Canada or in a country or territory mentioned in paragraph (2) (b)(ii) above, in a vehicle with automatic transmission notwithstanding that the licence authorises the driving in any province or territory of Canada of vehicles with manual transmission.

Textual Amendments

F6 Words in art. 4(2)(a) substituted (19.1.2013) by *The Driving Licences (Exchangeable Licences) (Amendment) Order 2013* (S.I. 2013/22), arts. 1(2), **4(1)(b)**

F7 Words in art. 4(2)(b)(ii) omitted (31.12.2020) by virtue of *The Driving Licences (Amendment) (EU Exit) Regulations 2018* (S.I. 2018/1251), regs. 1(2), **5(3)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I4 Art. 4 in force at 2.7.1999, see **art. 1**

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

Larry Whitty
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

SCHEDULE

Articles 3 and 4

OTHER COUNTRIES AND TERRITORIES FROM
WHICH A LICENCE MAY HAVE BEEN EXCHANGED

Commencement Information

I5 Sch. in force at 2.7.1999, see [art. 1](#)

[^{F8}Andorra]
Australia
Barbados
British Virgin Islands
Republic of Cyprus
[^{F9}The Falkland Islands]
[^{F9}The Faroe Islands]
Guernsey
Hong Kong
Isle of Man
Japan
Jersey
^{F10}
...
Malta
[^{F11}Monaco]
New Zealand
[^{F12}Republic of Korea]
Singapore
Switzerland
Zimbabwe

Textual Amendments

- F8** Word in Sch. inserted (11.1.2013) by [The Driving Licences \(Exchangeable Licences\) \(Amendment\) Order 2013 \(S.I. 2013/22\)](#), arts. 1(2), [4\(1\)\(c\)\(i\)](#)
- F9** Words in Sch. inserted (11.1.2013) by [The Driving Licences \(Exchangeable Licences\) \(Amendment\) Order 2013 \(S.I. 2013/22\)](#), arts. 1(2), [4\(1\)\(c\)\(ii\)](#)
- F10** Words in Sch. revoked (31.1.2007) by [The Driving Licences \(Exchangeable Licences\) \(Amendment\) Order 2007 \(S.I. 2007/96\)](#), [art. 2](#)
- F11** Word in Sch. inserted (11.1.2013) by [The Driving Licences \(Exchangeable Licences\) \(Amendment\) Order 2013 \(S.I. 2013/22\)](#), arts. 1(2), [4\(1\)\(c\)\(iii\)](#)
- F12** Words in Sch. inserted (11.1.2013) by [The Driving Licences \(Exchangeable Licences\) \(Amendment\) Order 2013 \(S.I. 2013/22\)](#), arts. 1(2), [4\(1\)\(c\)\(iv\)](#)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates South Africa and the provinces and territories of Canada under section 108(2) (b) of the Road Traffic Act 1988 as making satisfactory provision for the issue of certain classes of driving licence. This enables a person holding one of those licences to exchange it for a corresponding British licence. The licences affected are those authorising the driving of mopeds, motor cycles, motor cars and small goods vehicles up to 3.5 tonnes maximum authorised mass (with or without a trailer), tractors, pedestrian controlled vehicles and mowing machines. However, a licence may not be exchanged for a British licence authorising the driving of vehicles with manual transmission unless the holder took a driving test on a vehicle with manual transmission.

Changes to legislation:

There are currently no known outstanding effects for the The Driving Licences (Exchangeable Licences) Order 1999.