

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^(a) 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.

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
 - (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
- (iii) a reference to a licensing category is a reference to the category identified by the same letter or combination of letters in Schedule 2 to the Motor Vehicles (Driving Licences) Regulations 1996^(b).

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 A, B, B+E, F, K, or P, and

^(a) 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”.
^(b) S.I. 1996/2824. The relevant amendment to Schedule 2 is by S.I. 1997/669.

- (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 other than the United Kingdom, a province or territory of Canada or a country of 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.

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 A, B, B+E, F, K or P, 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 other than the United Kingdom, 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.

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

9th June 1999

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

Australia
Barbados
British Virgin Islands
Republic of Cyprus
Guernsey
Hong Kong
Isle of Man
Japan
Jersey
Kenya
Malta
New Zealand
Singapore
Switzerland
Zimbabwe

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.

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