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STATUTORY INSTRUMENTS

1980 No. 1095

ROAD TRAFFIC

The Motor Vehicles (International Circulation) (Amendment) Order 1980

Laid before Parliament in draft

Made - - - -

*28th July 1980
for all purposes
of paragraph (1)
of Article 10 in
accordance with
paragraph (a) of
Article 1, for all
other purposes in
accordance with
paragraph (b) of
Article 1*

Coming into Operation

At the Court at Buckingham Palace, the 28th day of July 1980

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has, in pursuance of section 1(5) of the Motor Vehicles (International Circulation) Act 1952, been laid before Parliament and approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, in pursuance of section 1(1), (2) and (4) of the Motor Vehicles (International Circulation) Act 1952, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation and commencement

1. This Order may be cited as the Motor Vehicles (International Circulation) (Amendment) Order 1980 and shall come into operation—

- (a) for all purposes of paragraph (1) of Article 10 on the first day of the month following that in which the Order is made, and

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- (b) for all other purposes, on the date on which the Convention on Road Traffic concluded at Vienna in 1968(1) is first in force in respect of the United Kingdom, which date shall be notified in the London, Edinburgh and Belfast Gazettes.

Commencement Information

- I1** Art. 1 comes into force in accordance with art. 1(b)

Interpretation

- 2.** In this Order “the principal Order” means the Motor Vehicles (International Circulation) Order 1975.

Commencement Information

- I2** Art. 2 comes into force in accordance with art. 1(b)

Documents for drivers going abroad

- 3.** For paragraph (1) of Article 1 of the principal Order there shall be substituted the following paragraphs:—

“(1) Subject to the following provisions of this Article, the Minister of Transport may issue to a person resident in the United Kingdom a driving permit in any of the forms A, B and C in Schedule 1 to this Order for use outside the United Kingdom.

(1A) A permit shall be issued to a person only for vehicles of a class or classes in respect of which that person either—

- (a) holds a full licence, or has held and is entitled to obtain such a licence and is authorised to drive by virtue of section 84(4) of the Road Traffic Act 1972(2) or any corresponding Northern Ireland provision (licence applied for or surrendered for correction of particulars, etc.); or
- (b) holds a provisional licence, or has held and is entitled to obtain such a licence and is authorised to drive as mentioned in paragraph (a) above, and has passed the test of competence to drive or a test which is a sufficient test;

and in this paragraph ‘full licence’ means a licence (granted under Part III of the Road Traffic Act 1972 or Part I of the Road Traffic Act (Northern Ireland) 1970(3) other than a provisional licence, and ‘provisional licence’ and ‘test of competence to drive’ have the same meaning as in the said Part III or the said Part I, and ‘test of competence which is a sufficient test’ has the same meaning as in the said Part III.

(1B) A permit in form A shall not be issued to any person who is under 18 years of age unless the permit is restricted to the driving of motor cycles or invalid carriages, or both.

(1C) A permit in form B shall not be issued to any person who is under 18 years of age.

(1D) A permit in form C shall be limited in its period of validity to three years, or, if shorter—

(1) Cmnd. 4032.

(2) 1972 c. 20; section 84(4) was amended by section 13 of, and paragraph 1 of Schedule 3 to, the Road Traffic Act 1974 (c. 50) and by section 1 of, and paragraph 1 of Schedule 1 to, the Road Traffic (Drivers' Ages and Hours of Work) Act 1976 (c. 3).

(3) 1970 c. 2 (N.I.).

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- (a) the unexpired period of the permit holder's current United Kingdom driving licence; or
- (b) where the permit holder is authorised to drive by virtue of section 84(4) of the Road Traffic Act 1972 or any corresponding Northern Ireland provision (licence applied for or surrendered for correction of particulars, etc.) the remainder of the period for which he is so authorised together with the period of validity of any licence granted while he is so authorised.”.

Commencement Information

I3 Art. 3 comes into force in accordance with art. 1(b)

4. The following words shall be omitted from Article 1 of the principal Order:—
- (a) in paragraph (7) the words “tests of the competency of applicants for driving permits and”, and
 - (b) in paragraph (8) the words “tests or”.

Commencement Information

I4 Art. 4 comes into force in accordance with art. 1(b)

Visitors' driving permits

5.—(1) For paragraph (3) of Article 2 of the principal Order there shall be substituted the following paragraph:—

“(3) Nothing in the preceding provisions of this Article shall authorise any person to drive, or to be employed in driving, a vehicle of any class at a time when he is disqualified by virtue of section 96 of the Road Traffic Act 1972 (persons under age) as substituted by section 1 of the Road Traffic (Drivers' Ages and Hours of Work) Act 1976(4), for holding or obtaining a driving licence authorising him to drive vehicles of that class, but in the case of any such person as is mentioned in paragraphs (1) or (2) of this Article, who is driving a vehicle which—

- (a) is brought temporarily into Great Britain, and
- (b) is within the class specified in the first column of paragraph 6 of the Table in subsection (1) of that section, and
- (c) is either a vehicle registered in a Convention country or a goods vehicle in respect of which that person holds a certificate of competence which satisfies the international requirements,

the second column of that paragraph, in its application for the purposes of this paragraph, shall have effect as if for “21” there were substituted “18”.

In this paragraph the following expressions have the meanings respectively assigned to them:—

‘the international requirements’ means—

- (i) in relation to a person who is driving a goods vehicle on a journey to which Council Regulation (EEC) No. 543/69 of 25th March 1969 on the harmonisation

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of certain social legislation relating to road transport⁽⁵⁾ applies, the requirements of Article 5(1)(b) (minimum ages for goods vehicle drivers) of that Regulation;

- (ii) in relation to a person who is driving a goods vehicle on a journey to which the European Agreement concerning the work of crews engaged in International Road Transport (AETR) signed at Geneva on 25th March 1971⁽⁶⁾ applies, the requirements of Article 5(1)(b) (conditions to be fulfilled by drivers) of that Agreement;

'Convention country' means a country which is not a Member State of the European Economic Community nor a party to the afore-mentioned European Agreement nor to the Convention on Road Traffic concluded at Vienna in the year 1968 but is a party to the Convention on Road Traffic concluded at Geneva in the year 1949⁽⁷⁾ or the International Convention relative to Motor Traffic concluded at Paris in the year 1926⁽⁸⁾."

(2) In paragraph (6) of Article 2 of the principal Order for the definition of "Convention driving permit" there shall be substituted the following definition:—

"'Convention driving permit' means either—

- (i) a driving permit in the form A in Schedule 1 to this Order issued under the authority of a country outside the United Kingdom, whether or not that country is a party to the Convention on Road Traffic concluded at Geneva in the year 1949 but not so issued as aforesaid after the expiry of a period of five years from the date of the entry into force of the Convention on Road Traffic concluded at Vienna in the year 1968 in accordance with Article 47(1) thereof, if that country is a party to that Convention, or
- (ii) a driving permit in the form B in that Schedule issued under the authority of a country outside the United Kingdom which is a party to the International Convention relative to Motor Traffic concluded at Paris in the year 1926, but not to the Convention of 1949 nor to the Convention of 1968, or
- (iii) a driving permit in the form C in that Schedule issued under the authority of a country outside the United Kingdom which is a party to the Convention of 1968;"

Commencement Information

I5 Art. 5 comes into force in accordance with art. 1(b)

6. At the end of paragraph (7) of Article 2 of the principal Order there shall be added the following words "and, without prejudice to the provisions of paragraph (3) above, a Convention driving permit in the form C in Schedule 1 to this Order shall, if the validity of the permit is by special endorsement thereon made conditional upon the holder wearing certain devices or upon the vehicle being equipped in a certain manner to take account of his disability, not be valid at a time when any such condition is not satisfied".

Commencement Information

I6 Art. 6 comes into force in accordance with art. 1(b)

7. For paragraph (3) of Article 3 of the principal Order there shall be substituted the following paragraph:—

⁽⁵⁾ O.J. No. L.77, 29.3.1969, p. 49.

⁽⁶⁾ Cmnd. 4858.

⁽⁷⁾ Cmnd. 7997.

⁽⁸⁾ Cmnd. 3510.

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“(3) Nothing in this Article shall authorise any person to drive, or to be employed in driving, a vehicle of any class at a time when he is disqualified by virtue of section 96 of the Road Traffic Act 1972 (persons under age), as substituted by section 1 of the Road Traffic (Drivers' Ages and Hours of Work) Act 1976, for holding or obtaining a driving licence authorising him to drive vehicles of that class.”.

Commencement Information

I7 Art. 7 comes into force in accordance with art. 1(b)

Supplementary provisions

8.—(1) Sections 169 and 170 of the Road Traffic Act 1972 (forgery of documents, etc., false statements and withholding material information) and section 150 of the Road Traffic Act (Northern Ireland) 1970 (false statements in connection with, forgery of and fraudulent use of documents, etc.) shall apply to a Convention driving permit as they apply to licences under those Acts.

(2) Section 182 of the said Act of 1972 and section 163C of the said Act of 1970 (admissibility of records as evidence) shall apply to records maintained by the Minister of Transport in connection with his functions under Article 1 of the principal Order, or by a body or Northern Ireland department to which in accordance with Article 1(8) of the principal Order he has delegated the function in connection with which the records are maintained, as those sections apply to records maintained in connection with functions under those Acts, and the powers conferred by section 182(3) of the Act of 1972 and section 163C(4) of the Act of 1970 to prescribe a description of matter which may be admitted as evidence under those sections shall have effect in relation to the application of those sections by this Article.

(3) In this Article “Convention driving permit” means a permit to drive a vehicle or class of vehicle which is issued under Article 1 of the principal Order in pursuance of, and in the form prescribed by, the International Convention relative to Motor Traffic concluded at Paris in the year 1926, the Convention on Road Traffic concluded at Geneva in the year 1949 or the Convention on Road Traffic concluded at Vienna in the year 1968.

Commencement Information

I8 Art. 8 comes into force in accordance with art. 1(b)

Schedules

9. In Schedule 1 to the principal Order after form B and before form D there shall be inserted as form C the form set out in the Schedule to this Order.

Commencement Information

I9 Art. 9 comes into force in accordance with art. 1(b)

10.—(1) For Schedule 2 to the principal Order (Fees Chargeable for Documents and Identification Marks) there shall be substituted the following Schedule:—

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“SCHEDULE 2

Article 1(6)

FEES CHARGEABLE FOR DOCUMENTS AND IDENTIFICATION MARKS

The fee for the issue of the following documents shall be as follows:—

Driving permit in form A, B or C	£2
Certificate in form D	£2
Certificate of maximum load and permissible weight	53 pence
Assignment of identification mark	53 pence”.

(2) In Schedule 3 to the principal Order (Visitors' Driving Permits), in paragraph 1 after the words “Road Traffic Act 1972” there shall be inserted the words “Convention driving permit” has the meaning assigned to it by Article 2(6) of this Order”.

(3) In the said Schedule 3, in paragraph 3, for sub-paragraph (2) there shall be substituted the following sub-paragraph:—

“(2) The Minister of Transport on receiving a permit forwarded under the foregoing sub-paragraph, shall—

- (a) retain the permit until the disqualification ceases to have effect or until the holder leaves Great Britain, whichever is the earlier; and
- (b) send the holder's name and address, together with the particulars of the disqualification, to the authority by whom the permit was issued; and
- (c) if the permit is a Convention driving permit, record the particulars of the disqualification on the permit.”.

(4) In the said Schedule 3, in paragraph 4, in sub-paragraph (1) the words from “and the Secretary of State shall transmit” to the end shall be omitted and the following sub-paragraph shall be substituted for sub-paragraph (2):—

“(2) The Minister of Transport, on receiving particulars of a court order removing such a disqualification, shall—

- (a) in the case of a permit on which particulars of a disqualification were entered in accordance with paragraph 3(2)(c) of this Schedule, enter on the permit particulars of the order removing the disqualification;
- (b) send the particulars of the order to the authority by whom the permit was issued; and
- (c) return the permit to the holder.”.

Commencement Information

I10 Art. 10(1) comes into force in accordance with art. 1(a)

I11 Art. 10(2)-(4) comes into force in accordance with art. 1(b)

N.E. Leigh
Clerk of the Privy Council

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SCHEDULE

Commencement Information

I12 Sch. comes into force in accordance with art. 1(b)

CFORM OF INTERNATIONAL DRIVING PERMIT UNDER CONVENTION OF 1968

Article 9

EXPLANATORY NOTE

1. This Order amends the Motor Vehicles (International Circulation) Order 1975 to give effect to certain provisions of the Convention on Road Traffic of 1968 (Cmnd. 4032) which relate to the issue of international driving permits to persons going abroad and to licensing requirements for visiting drivers; and also to permit an increase in the fees payable for certain international circulation documents.

2. The following are the principal changes introduced by the Order:

- (a) The Minister of Transport is empowered to issue for use outside the United Kingdom an international driving permit in the form specified in the Convention on Road Traffic 1968 (Article 3).
- (b) An international driving permit may be issued only to the holder of a valid driving licence (or a person authorised to drive when taking out a new licence), and where such a licence is a provisional licence the holder must have passed the required test of competence (Article 3).
- (c) The power of the Minister to carry out tests of competency and to delegate this function is removed (Article 4).
- (d) An international driving permit issued outside the United Kingdom in the form specified in the Convention on Road Traffic 1968 is recognised, subject to certain conditions, as authority to drive for a period of up to twelve months from the date of the last entry into the United Kingdom (Article 5(2)).
- (e) It is an offence to forge or misuse an international driving permit issued in Great Britain or Northern Ireland or to make a false statement for the purpose of obtaining such a permit (Article 8).
- (f) The fees for international driving permits and certificates for motor vehicles are increased from £1.50 to £2 (Article 10(1)).

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