

1999 No. 357

ROAD TRAFFIC

**The Motor Cars (Driving Instruction) (Admission of
Community Licence Holders) Regulations 1999**

Made - - - - - *15th February 1999*
Laid before Parliament *25th February 1999*
Coming into force *1st April 1999*

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by section 134 of the Road Traffic Act 1988(a), hereby makes the following Regulations:

Citation and commencement

1. These regulations may be cited as the Motor Cars (Driving Instruction) (Admission of Community Licence Holders) Regulations 1999 and shall come into force on 1st April 1999.

Amendment of the Road Traffic Act 1988: Community licence holders

2.—(1) The Road Traffic Act 1988 shall be amended in accordance with paragraphs (2) to (5) below.

(2) In section 125—

(a) for subsection (3)(b) there shall be substituted—

“(b) he is the holder of—

(i) a current licence to drive a motor car (not being a provisional licence) granted under Part III of this Act,

(ii) a current licence to drive a motor car (not being a licence corresponding to a provisional licence) granted under the law in force in Northern Ireland, or

(iii) a Community licence by which he is authorised to drive a motor car in Great Britain and a counterpart of that licence.”;

(b) for subsection (3)(c)(ii), there shall be substituted—

“(ii) a current foreign licence, that is to say a document issued under the law of a country or territory other than an EEA State (within the meaning of Part III of this Act(b)), authorising the holder to drive a motor car in that country or territory.”;

(c) after subsection (9), there shall be inserted—

“(10) In this Part of this Act, “Community licence” and “counterpart”, in relation to a Community licence, have the same meanings as in Part III of this Act.”.

(a) 1988 c. 52. Section 125A was inserted, and sections 128(2), 130(2) and 142 were amended, by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c. 31).

(b) See section 108(1), the relevant amendments being by the Driving Licences (Community Driving Licence) Regulations 1996 (S.I. 1996/1974).

(3) In section 125A(8), in the definition of “disabled person’s limited driving licence”–

(a) in paragraph (a), the word “and” shall be omitted, and

(b) after paragraph (b) there shall be inserted “, and

(c) a Community licence authorising the driving of a motor car which is similarly limited by virtue of any corresponding provision of the law under which it was issued and a counterpart of that licence;”.

(4) In sections 128(2)(a) and 130(2)(a), for the word “neither” there shall be substituted “none”.

(5) In section 142, in the table, after the entry for “Appropriate motor car”, there shall be inserted–

“Community licence” and “counterpart” in
relation thereto

Section 125(10)”.

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

15th February 1999

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Traffic Act 1988 by providing that a person holding a driving licence issued by a member state of the European Economic Area (a “Community licence”) may be registered as an approved driving instructor under section 125 of the Act or apply for a trainee’s licence under section 129 of the Act without having to exchange his licence for a British or Northern Irish licence. The licence holder must, however, apply to the Secretary of State for a counterpart. They implement in part Article 1(2) of Council Directive 91/439/EEC on driving licences (OJ No. L237, 29.7.91, p.1).

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