



SUPPLEMENT No. 3
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1584 of 18th June 2010
SUBSIDIARY LEGISLATION

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**MOTOR VEHICLES AND ROAD TRAFFIC (DRIVER LICENSING) (AMENDMENT)
REGULATIONS 2010**

The Administrator makes the following Regulations in exercise of the powers under section 3(e), (r), (u) and (v) of the Motor Vehicles and Road Traffic (Consolidation) Ordinance 2006(a).

Citation, commencement and interpretation

1. (1) These Regulations may be cited as the Motor Vehicles and Road Traffic (Driver Licensing) (Amendment) Regulations 2010 and come into force on 1 July 2010.

(2) In these Regulations, the “principal Regulations” means the Motor Vehicles and Road Traffic (Driver Licensing) Regulations 2009(b).

Regulation 9 (Age of driver) of the principal Regulations amended

2. (1) Paragraph (1) of Regulation 9 is amended by revoking “and (3)” and replacing it with “to (6)”.

(2) Paragraphs (2) to (4) of regulation 9 of the principal Regulations are revoked and replaced with—

“ (2) A person may drive a motor vehicle of category B, sub-category B1 or sub-category A or A1 on attaining the age of 17 years if that person holds a Community driving licence which permits the holder to drive a motor vehicle of category B or sub-category A or A1 on attaining such age.

(3) A person may drive a motor vehicle of category B or sub-category B1 on attaining 17½ years of age if that person holds a learner licence issued by the Republic which permits the holder to drive a motor vehicle of category B or sub-category B1.

(4) A person may drive a motor vehicle of category B, sub-category B1 or sub-category A or A1 on attaining 17 years of age if that person holds a learner licence issued by the United Kingdom which permits the holder to drive a motor vehicle of category B, sub-category B1 or sub-category A or A1.

(5) A person may drive a motor vehicle of special category J on attaining the age of 16 years if that person holds a Community driving licence which permits the holder to drive a motor vehicle of special category J on attaining such age.

(6) A person may drive a motor vehicle of special category J on attaining the age of 16 years if that person holds a learner licence issued by the United Kingdom which permits the holder to drive a motor vehicle of special category J.

(7) A person who contravenes this regulation commits an offence and is liable to imprisonment for 6 months or a fine of €1,025 or both.”.

Regulation 10 of the principal Regulations revoked and replaced

3. Regulation 10 of the principal Regulations is revoked and replaced with—

“Learner licences

10. (1) Subject to this regulation, a learner driver must not drive a motor vehicle—

- (a) unless the learner driver has attained the age specified in regulation 9;
- (b) other than under the supervision of a qualified driver who is present with the learner driver in the vehicle;
- (c) unless the vehicle is manufactured or adapted in a manner which permits the qualified driver to control the handbrake of the vehicle;
- (d) unless the distinguishing mark in the form set out in Schedule 3 is displayed on the vehicle in such manner as to be clearly visible to other persons using the road from within a reasonable distance from the front and from the back of the vehicle;
- (e) while carrying a passenger in the motor vehicle other than the qualified driver;
- (f) while it is being used to draw a trailer.

(2) Paragraphs (1)(b), (c) and (e) do not apply to learner drivers driving a motor vehicle of category A, sub-category A1 or special category J.

(3) Paragraph (1)(e) does not apply to a learner driver undertaking a test to obtain a driving licence.

(4) A learner driver driving a motor vehicle of category A, sub-category A1 or special category J may only carry a passenger if that passenger holds a licence (other than a learner's licence) authorising the driving of motor vehicles of the same category as the vehicle being driven by the learner driver.

(5) A person who contravenes paragraph (1)(a) commits an offence and is liable to imprisonment for 6 months or a fine of €1,025 or both.

(6) A person who contravenes paragraph (1)(b) commits an offence and is liable to imprisonment for 6 months or a fine of €3,000 or both.

(7) A person who contravenes paragraph (1)(c), (d) or (f) commits an offence and is liable to imprisonment for 3 months or a fine of €512 or both.

(8) A person who contravenes paragraph (1)(e) or paragraph (4) commits an offence and is liable to imprisonment for 3 months or a fine of €2000 or both.

(9) In this Regulation, "qualified driver" means either—

- (a) a driving instructor licensed under the Motor Vehicles (Instruction of Drivers) Law 1968(c) of the Republic; or
- (b) a person who—
 - (i) has held a driving licence for at least 5 years, other than a learner licence, authorising the driving of motor vehicles of the same category as the vehicle being driven by the learner driver; and
 - (ii) meets the relevant minimum age limits specified in paragraph (10).

(10) The minimum age limits specified in this paragraph are—

- (a) in the case of a learner driver who is under the age of 18 years in a motor vehicle of category B or sub-category B1, 30 years of age;
- (b) in all other cases, 25 years of age.”.

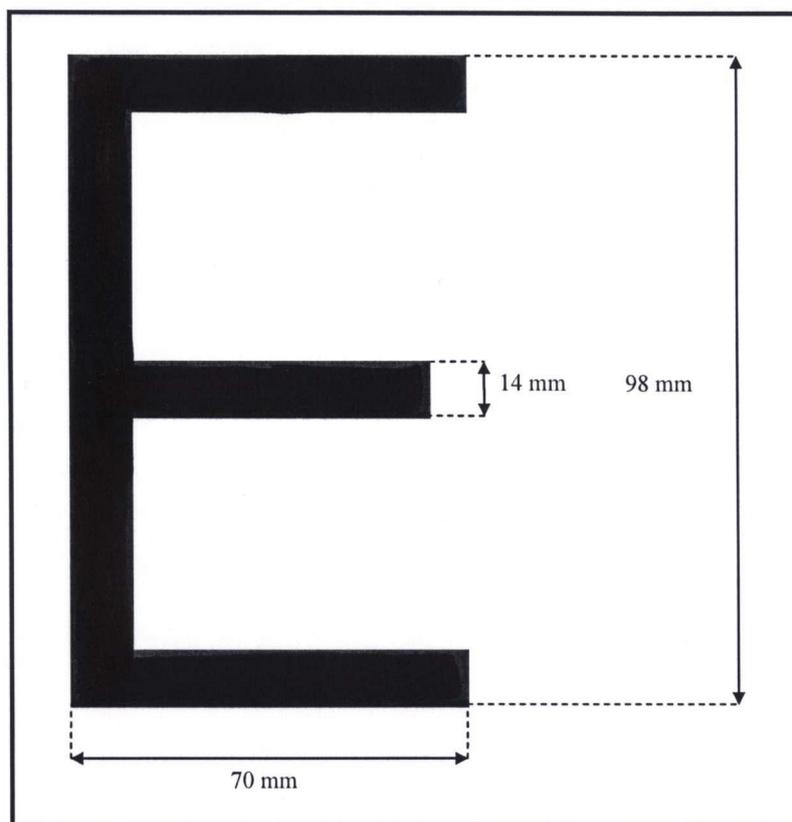
Schedule 3 of the principal Regulations amended

4. Schedule 3 of the principal Regulations is revoked and replaced as follows—

“SCHEDULE 3

(Regulation 10)

DISTINGUISHING MARK TO BE DISPLAYED ON A VEHICLE BEING DRIVEN BY A LEARNER DRIVER.”.



Red letter on white background.

The corners of the background may be rounded off.

Dated this 17th day of June 2010.

By the Administrator's Command,

J. S. Wright,

Chief Officer,
Sovereign Base Areas.

(SBA/AG/2/AM/216/4)

Notes

(a) Ordinance 5/06.

(b) Public Instrument 35/09.

(c) Law No 112/1968, Republic of Cyprus.

EXPLANATORY NOTE

(This note does not form part of the Regulations)

1. This explanatory note relates to the Motor Vehicles and Road Traffic (Driver Licensing) (Amendment) Regulations 2010 (the “Regulations”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Regulations. It does not form part of the Regulations.

2. The note should be read in conjunction with the Regulations. It is not, and is not meant to be, a comprehensive description of the Regulations. So when a regulation or part of a regulation does not seem to require any explanation or comment, none is given.

3. The Regulations amend the Motor Vehicles and Road Traffic (Driver Licensing) Regulations 2009 (the “principal Regulations”) to broadly replicate changes made in the Republican Licence to Drive (Amendment) Law 2010 (34(I)/2010). The Republic now issues learner licences to learner drivers for a motor vehicle of category B or sub-category B1 (broadly speaking a car) on reaching the age of 17½ years. The Regulations permit a learner driver holding such a licence to drive a car within the Areas. As has previously been the case, persons holding a learner licence (a provisional licence) issued by the UK may drive a car at the age of 17 years.

4. The Regulations change the requirements applicable to qualified drivers accompanying learner drivers and increase the penalties for learner drivers who breach the conditions under which they may learn to drive. The requirements applicable to accompanying drivers are identical whether or not the learner driver holds a UK licence or a Republican licence.

5. Qualified drivers accompanying learner drivers, must either—

- a. be a licensed driving instructor; or
- b. a person who has held a driving licence authorising the driving of motor vehicles of the same category as the vehicle being driven by the learner driver for at least 5 years and
 - i. when accompanying a learner driver under the age of 18 years, must be at least 30 years old;
 - ii. when accompanying any other learner driver, must be at least 25 years of age.

6. Learner drivers of motor vehicles of category A, subcategories A and A1 (broadly speaking, motorbikes) and special category J (mopeds) do not have to be accompanied by a qualified driver, but if a learner driver of a vehicle in one of those categories carries a passenger, that passenger must hold a licence (other than a learner licence) authorising the driving of motor vehicles of the same category as the vehicle being driven by the learner driver.

7. The categories of motor vehicle are listed in Schedule 1 of the principal Regulations, and the Explanatory Note to the principal Regulations contains a table showing comparable UK categories.