Draft Order laid before Parliament under section 1(5) of the Motor Vehicles (International Circulation) Act 1952 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2004 No. 000

ROAD TRAFFIC

The Motor Vehicles (International Circulation) (Amendment) Order 2004

Made - - - -	*2004*
Coming into force - -	*2004*

At the Court at Buckingham Palace, the day of 2004

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(**1**), been laid before Parliament and approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, in pursuance of section 1(1), (2), (3)(**2**) and (4) of the Motor Vehicles (International Circulation) Act 1952 as extended by article 14(1) of, and paragraph 16 of Schedule 5 to, the Northern Ireland (Modification of Enactments—No.1) Order 1973(**3**), 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 2004 and shall come into force on the fourteenth day after the day on which it is made.

(**1**) 1952 c. 39. By virtue of section 8 of the Road Traffic (Amendment) Act 1967 (c. 70), the power under section 1 to make provision modifying an enactment relating to motor vehicles or the drivers of vehicles includes power to make provision corresponding to any such enactment.

(**2**) Section 1(3) provides for the Minister of Transport to be authorised to make subordinate legislation. Subject to exceptions, not affecting the exercise of powers under section 1(3), the functions of the Minister of Transport have been sequentially transferred by virtue of the following series of statutory instruments; S.I.1970/1681, 1976/1775, 1979/571, 1981/238, 1997/2971, 2001/2568, and 2002/2626. By virtue of the last of these instruments, functions arising under section 1(3) are exercisable by the Secretary of State for Transport.

(**3**) S.I. 1973/2163, to which there are amendments but none is relevant to this Order.

Interpretation

2. In this Order, "the principal Order" means the Motor Vehicles (International Circulation) Order 1975(**4**).

Amendment of article 1 of the principal Order (Documents for drivers and vehicles going abroad)

3.—(1) For article 1(6)(**5**) of the principal Order substitute—

"The Secretary of State may charge a fee of £5.50 for the issue of any such document as is mentioned in paragraph (1) or (2) of this Article.".

(2) Paragraph (1) of this article shall not have effect in the case of any such document as is mentioned in paragraph (1) or (2) of article 1 of the principal Order if the application for the issue of the document is made before the coming into force of this Order.

Amendment of article 2 of the principal Order (Visitors' driving permits)

4.—(1) Article 2 of the principal Order is amended as follows.

(2) In article 2(1)(**6**)—

(a) omit sub-paragraph (c),

(b) omit ", except in the case of a holder of a British Forces (BFG) driving licence,", and

(c) for "a large goods vehicle or a passenger-carrying vehicle" substitute "a medium-sized goods vehicle, a large goods vehicle, a privately-operated passenger vehicle or a passenger-carrying vehicle".

(3) For article 2(2)(**7**) substitute—

"(2) Subject to the provisions of this Article, it shall be lawful for a person resident outside the United Kingdom who is temporarily in Great Britain and holds—

(a) a Convention driving permit, or

(b) a domestic driving permit issued in a country outside the United Kingdom,

during a period of twelve months from the date of his last entry into the United Kingdom to drive, or for any person to cause or permit such a person to drive, in Great Britain—

(i) in the case of any such person who is resident in an EEA State, the Isle of Man, Jersey or Guernsey, a medium-sized goods vehicle, a large goods vehicle, a privately-operated passenger vehicle or a passenger-carrying vehicle; and

(ii) in the case of any other such person, a medium-sized goods vehicle, a large goods vehicle, a privately-operated passenger vehicle or a passenger-carrying vehicle brought temporarily into Great Britain,

which he is authorised by that permit to drive, notwithstanding that he is not the holder of a medium-sized goods vehicle driver's licence, a large goods vehicle driver's licence,

(**4**) S.I. 1975/1208; relevant amending instruments are S.I. 1980/1095, 1989/993 (the Motor Vehicles (International Circulation) (Amendment) Order 1989, the "1989 Order"), 1991/771 (the Motor Vehicles (International Circulation) (Amendment) Order 1991, the "1991 Order"), 1996/1929 (the Motor Vehicles (International Circulation) (Amendment) Order 1996, the "1996 IC Order"), and 1996/1974 (the Driving Licences (Community Driving Licence) Regulations 1996, the "1996 Community Order"); particular amendments are footnoted in this Order as and where relevant.

(**5**) Article 1 was amended by S.I. 1980/1095, by the 1989 Order and by the 1996 IC Order; in particular, article 1(6) was substituted by article 3(1)(b) of the 1996 IC Order.

(**6**) Article 2 was substituted by the 1989 Order, article 4; article 2(1) was amended by the 1991 Order, article 2(a). Further amendments to article 2 of the principal Order are footnoted herein only where relevant.

(**7**) Article 2(2) was amended by the 1996 Community Order, regulation 6 and Schedule 5, paragraph 1(2); by the 1996 IC Order, article 4(1); and by the 1991 Order, article 2(b).