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**Ireland
and
United Kingdom of Great Britain and Northern Ireland**

**Agreement on the mutual recognition of driving disqualifications between Ireland and the United Kingdom of Great Britain and Northern Ireland (with correction and annex).
Dublin, 30 October 2015**

Entry into force: *1 August 2017 by notification, in accordance with article 14*

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**Irlande
et
Royaume-Uni de Grande-Bretagne et d'Irlande du Nord**

**Accord relatif à la reconnaissance mutuelle des disqualifications de conduite entre l'Irlande et le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord (avec annexe). Dublin,
30 octobre 2015**

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**AGREEMENT ON THE MUTUAL RECOGNITION OF DRIVING
DISQUALIFICATIONS BETWEEN IRELAND AND THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

The Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland;

Desiring to operate bi-lateral arrangements between them on the reciprocal recognition of driving disqualifications,

Have agreed as follows:

ARTICLE 1

The Contracting States agree to cooperate in accordance with their national laws in order to mutually recognise driving disqualifications.

ARTICLE 2

For the purposes of this Agreement:

- (a) “Central authority” and “competent authority” mean the authorities designated as such for the purpose of the Agreement by the State in question and as notified to the other Contracting State;
- (b) “driving disqualification” means any measure related to the commission of a road traffic offence which results in withdrawal or suspension of a right to drive a power driven vehicle and which is no longer subject to a right of appeal;
- (c) “normal residence” has the meaning given by Article 12 of Directive 2006/126/EC;
- (d) “power driven vehicle” has the meaning given by Article 4.1 of Directive 2006/126/EC;
- (e) “Relevant State” means:
 - i) Ireland where the road traffic offence is committed in the UK and the offender has normal residence in Ireland or the offender does not have normal residence in Ireland but holds an Ireland driving licence (including a learner permit); or

- ii) the UK where the road traffic offence is committed in Ireland and the offender has normal residence in the UK or the offender does not have normal residence in the UK but holds a Great Britain or Northern Ireland licence (including a provisional licence);
- (f) “State of the offence” means the Contracting State within the territory of which the road traffic offence occurred; and
- (g) “UK” means United Kingdom of Great Britain and Northern Ireland.

ARTICLE 3

A competent authority of the State of the offence shall notify a driving disqualification imposed by a court in its territory for an offence arising from conduct referred to in the Annex to the Central authority of the Relevant State.

ARTICLE 4

1. After notification of its Central authority in accordance with Article 3 the Relevant State shall give effect to the decision imposing disqualification from driving made in the State of the offence in accordance with the conditions laid down in clause 2.

2. The Relevant State:

- (a) shall take into account any part of the period of the driving disqualification imposed by the State of the offence which has already been served in that State;
- (b) may reduce the duration of the driving disqualification but only to the maximum term provided for acts of the same kind under its national law;
- (c) shall not extend the duration of the driving disqualification imposed by the State of the offence; and
- (d) shall not impose the disqualification beyond the date of the expiration of the disqualification in the State of the offence.

3. When giving effect to a driving disqualification under this Article, the Relevant State shall, where necessary, determine a date from which it will enforce the driving disqualification.

ARTICLE 5

1. The Relevant State shall refuse to give effect to the driving disqualification where:
 - (a) the driving disqualification has already been fully served in the State of the offence;
 - (b) the offender has already had a driving disqualification imposed on him in the Relevant State for the same acts and that disqualification has been or is being served;
 - (c) the period of limitation for prosecuting the offence would have expired under its own legislation; or
 - (d) in the circumstances of the particular case, after receiving any information supplied under Article 6, it considers that the person concerned has not had an adequate opportunity to defend himself.

2. The Relevant State may refuse to give effect to the driving disqualification if:
 - a) the conduct for which the driving disqualification has been imposed in the State of the offence does not constitute an offence under the law of the Relevant State;
 - b) the remaining period of disqualification which could be enforced in the Relevant State is less than three months; or
 - c) driving disqualification is not a measure available under the legislation of the Relevant State for the acts giving rise to the driving disqualification imposed by the State of the offence.

ARTICLE 6

1. The notification referred to in Article 3 shall be accompanied by:
 - a) details allowing the Relevant State to locate the person disqualified from driving;
 - b) the original or a certified copy of the decision imposing a driving disqualification;
 - c) a brief statement of the circumstances and a reference to the legal provisions in the State of the offence on the basis of which the driving disqualification was imposed, if these are not given in the decision;

- d) an attestation that the decision is final;
- e) information regarding the enforcement of the driving disqualification in the State of the offence, including the length of the disqualification and, where known, the dates on which the disqualification starts and expires;
- f) the driving licence, if it has been seized; and
- g) the name, address and date of birth of the offender.

2. Where the person on whom the driving disqualification has been imposed did not appear personally or was not represented at the proceedings, notifications pursuant to Article 3 must be accompanied by evidence that the person has been duly notified of the proceedings in accordance with the law of the State of the offence.

3. If the information communicated in accordance with clauses 1 and 2 is found to be insufficient to allow a decision to give effect to the driving disqualification to be taken, in particular, where in the circumstances of the particular case, there is doubt whether the person concerned has had an adequate opportunity to defend himself, the competent authorities of the Relevant State may request the competent authorities of the State of the offence to provide the necessary supplementary information without delay.

ARTICLE 7

The Relevant State shall inform the State of the offence of any decision taken in respect of a notification given pursuant to Article 3 and in respect of enforcement, and where it refuses to give effect to a driving disqualification pursuant to Article 5, of the reasons for its refusal.

ARTICLE 8

1. The right of the State of the offence to execute in its territory the full period of the driving disqualification determined by the State of the offence shall not be affected by any decision of the Relevant State.

2. When notifying the person concerned of the decision to disqualify, the State of the offence which proposes to apply clause 1 shall at the same time inform the person of this fact, and shall confirm in the notification given in accordance with Article 3 to the Relevant State that it has done so.