



STATUTORY INSTRUMENTS.

**S.I. No. 398 of 2015**

---

ROAD TRAFFIC ACT 2010 (SECTION 13) (PRESCRIBED FORM AND  
MANNER OF STATEMENTS) REGULATIONS 2015

## ROAD TRAFFIC ACT 2010 (SECTION 13) (PRESCRIBED FORM AND MANNER OF STATEMENTS) REGULATIONS 2015

I, PASCHAL DONOHOE, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 5 of the Road Traffic Act 1961 (No. 24 of 1961) and section 13 of the Road Traffic Act 2010 (No. 25 of 2010) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)), hereby make the following regulations:

1. These Regulations may be cited as the Road Traffic Act 2010 (Section 13) (Prescribed Form and Manner of Statements) Regulations 2015.

2. In these Regulations “Act of 2010” means Road Traffic Act 2010 (No. 25 of 2010).

3. The form set out in the Schedule is prescribed for the purposes of section 13(2) of the Act of 2010 as the form of the statements to be automatically produced, being either—

(a) in the English language, Form A, or

(b) in the Irish language, Form B,

by an apparatus referred to in section 12(1)(a) of that Act.

4. For the purposes of completing the statements referred to in section 13(2) of the Act of 2010 in the prescribed manner the member of the Garda Síochána supplying the statements shall—

(a) before the person provides a specimen of his or her breath in accordance with section 12(1)(a) of the Act of 2010, input into the apparatus referred to in that section—

(i) the member’s name and number,

(ii) whether the statements are to be produced either—

(I) in the English language, or

(II) in the Irish language,

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 25th September, 2015.*

(iii) the provision that it is alleged the person providing the specimens has contravened, namely, section 4(4) or 5(4) of the Act of 2010, and

(iv) the name, address, date of birth and gender of the person providing the specimens,

and

(b) following the automatic production of the statements referred to in section 13(2) of the Act of 2010, sign the statements.

5. The Road Traffic Act 2010 (Section 13) (Prescribed Form and Manner of Statements) Regulations 2011 (S.I. No. 541 of 2011) are revoked.

SCHEDULE

**Form A**

Road Traffic Act, 2010, section 13 — statement

Apparatus:

Serial Number:

Garda Síochána Station:

Test Number:

Date of start of test:

Person who provided specimens

Name:

Address:

Date of Birth:

Gender:

Analysis

Test

µg/100ml

Time

Blank

Simulator Check 1

Blank

Breath Specimen 1

Blank

Breath Specimen 2

Blank

Simulator Check 2

The specimen to be taken into account for the purposes of section \_\_\_\_\_ of the Road Traffic Act, 2010 is specimen \_\_\_\_\_ above. The concentration of alcohol in the breath for the purposes of that section is \_\_\_\_\_ microgrammes of alcohol per 100 millilitres of breath.

Member of An Garda Síochána

Name:

Number:

Signature:

I, the undersigned, hereby acknowledge the receipt of this statement.

.....

Signature of person who provided specimens of breath.

**Form B**

An tAcht um Thrácht ar Bhóithre, 2010, Alt 13 — ráiteas

Gaireas:

Sraith-Uimhir:

An Stáisiún Garda Síochána:

Uimhir Tástála:

An Dáta ar Thosaigh an Tástáil:

An Duine a Sholáthair na Samplaí

Ainm:

Seoladh:

Dáta Breithe:

Inscne an Duine:

Anailís

Tástáil

µg/100ml

Am

Bán

Seiceáil Insamhlóra 1

Bán

Sampla Anála 1

Bán

Sampla Anála 2

Bán

Seiceáil Insamhlóra 2

Is é an sampla atá le cur san áireamh chun críocha alt \_\_\_\_\_ den Acht um Thrácht ar Bhóithre, 2010 ná sampla \_\_\_\_\_ thuas. Is é an tiúchan alcóil san anáil chun críocha an ailt sin ná \_\_\_\_\_ microgram alcóil an 100 millilítear anála.

Comhalta den Gharda Síochána

Ainm:

Uimhir:

Síniú:

Admháimse, a bhfuil mo shíniú thíos, leis seo go bhfuair mé an ráiteas seo.

.....

Síniú an duine a sholáthair na samplaí anála.



GIVEN under my Official Seal,  
22 September 2015.

PASCHAL DONOHOE,  
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations prescribe the form and manner of the statements, to be produced in the English language or in the Irish language by an apparatus for determining the concentration of alcohol in the breath pursuant to section 13 (2) of the Road Traffic Act 2010 and prescribe the manner in which the statements are to be duly completed by a member of the Garda Síochána.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

---

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased from  
GOVERNMENT PUBLICATIONS,  
52 ST. STEPHEN'S GREEN, DUBLIN 2.  
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)  
or through any bookseller.

---

€2.54

