



STATUTORY INSTRUMENTS.

S.I. No. 158 of 2023



ROAD TRAFFIC (RECOGNITION OF FOREIGN DRIVING LICENCES)
(AUSTRALIA) ORDER 2023

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I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by section 23A (inserted by section 8 of the Road Traffic Act 2006 (No. 23 of 2006)) of the Road Traffic Act 1961 (No. 24 of 1961), hereby order as follows:

1. This Order may be cited as the Road Traffic (Recognition of Foreign Driving Licences) (Australia) Order 2023.

2. In this Order –

“Act of 1961” means the Road Traffic Act 1961 (No. 24 of 1961);

“Regulations of 2006” means the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006);

“vehicle with automatic transmission” means a vehicle in which no clutch pedal (or lever operated manually for categories A, A1 or A2, within the meaning of Regulation 6 of the Regulations of 2006) is present.

3. It is declared that a licence or permit permitting a person to drive a mechanically propelled vehicle, not being a licence or permit issued to a person to enable that person to learn or provisionally to drive such a vehicle, issued by a competent authority of Australia, is recognised for the purpose of exchange of that licence or permit for a driving licence, in respect of any one or more of the categories in respect of which the licence or permit is held that corresponds to a category mentioned in the Table to Regulation 6 of the Regulations of 2006.

4. (1) A driving licence being granted in exchange for a licence or permit referred to in Article 3 shall only permit the person whose licence or permit is exchanged to drive a vehicle with automatic transmission in respect of any one or more of the categories referred to in Article 3.

(2) Notwithstanding paragraph (1), where the competent authority referred to in Article 3 confirms that the person exchanging the licence or permit concerned completed a test in a vehicle with manual transmission which demonstrates the necessary ability to drive a vehicle in respect of any one or more of the categories referred to in Article 3 to the satisfaction of the licensing authority (within the meaning of section 21 of the Act of 1961), the driving licence granted on exchange shall also permit the person to drive a vehicle with manual transmission in respect of, as the case may be, that category or those categories.

(3) Paragraph (2) shall not apply where, subsequent to the test referred to in that paragraph, the competent authority referred to in Article 3 issued the person with a licence or permit which only permits that person to drive a vehicle with automatic transmission in the category or categories concerned.

5. This Order does not apply to a licence or permit issued by Australia in exchange for a licence or permit issued by a state other than the State, another Member State or a state in respect of which an order under section 23A of the Act of 1961 applies.

6. The Road Traffic (Recognition of Foreign Driving Licences) Order 2007 (S.I. No. 527 of 2007) is amended –

(a) by the substitution of the following paragraph for paragraph (2) of Article 2:

“(2) This Order does not apply to a licence or permit issued by a Member State (other than the State) or a state mentioned in the Schedule in exchange for a licence or permit issued by a state other than –

- (a) the State,
- (b) another Member State,
- (c) a state mentioned in the Schedule, or
- (d) any other state in respect of which an order under section 23A of the Act of 1961 applies.”,

and

(b) in the Schedule, by the deletion of “Australia”.



GIVEN under my Official Seal,
4 April, 2023.

EAMON RYAN,
Minister for Transport.

EXPLANATORY NOTE

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

This Order recognises Australian driving licences for driving licence exchange purposes under section 23A of the Road Traffic Act 1961. An Irish driving licence granted in exchange under this Order will permit a person to drive a vehicle with automatic transmission only, unless it can be confirmed by the Australian authorities that the person completed and passed a driving test in a vehicle with manual transmission.

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