



SUPPLEMENT No. 3
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1676 of 15th January 2013
SUBSIDIARY LEGISLATION

CONTENTS:

*The following SUBSIDIARY LEGISLATION is published in this
Supplement which forms part of this Gazette : –*

	No.
Motor Vehicles and Road Traffic (Driver Licensing) (Amendment) Regulations 2013	2
Land Acquisition (Sanction of Acquisition) (Works Connected with the Vertical Road and Kato Polemihia Waste Water Treatment Plant) Notification 2013	3

**MOTOR VEHICLES AND ROAD TRAFFIC (DRIVER LICENSING) (AMENDMENT)
REGULATIONS 2013**

The Administrator makes the following regulations in exercise of the powers under section 3 of the Motor Vehicles and Road Traffic (Consolidation) Ordinance 2006(a).

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles and Road Traffic (Driver Licensing) (Amendment) Regulations 2013 and come into force on 19 January 2013.

Amendments to the Motor Vehicles and Road Traffic (Driver Licensing) Regulations 2009

2. The Motor Vehicles and Road Traffic (Driver Licensing) Regulations 2009(b) are amended in accordance with regulations 3 to 8.

Amendment to regulation 2 (interpretation)

3. Regulation 2(2) is revoked and substituted with the following—

“(2) In these Regulations a reference to a category or a special category in relation to a motor vehicle is to be interpreted in accordance with Schedule 1.”.

Amendment to regulation 8 (recognition of driving licences)

4. Regulation 8 is amended as follows—

- (a) in paragraph (4)(a) omit “, sub-categories”;
- (b) after paragraph (4)(b) insert—

“(4A) For the purpose of paragraph (4)(a) any restriction or condition on driving a category or special category of motor vehicle imposed by the country which issued the driving licence has effect.

(4B) Without limit to the generality of paragraph (4A), the restrictions and conditions in code form set out in public instrument 487 of 2012 of the Republic(c) form part of the law of the Areas.”.

Substitution of regulation 9 (age of driver)

5. Regulation 9 is revoked and substituted with the following—

“Age of driver

9. (1) Subject to paragraphs (2) and (3), a person must not drive a motor vehicle of a category or a special category referred to in column (a) of the following table unless the person has attained the age for the category or special category referred to in the corresponding entry in column (b)—

<i>Column (a)</i> <i>Category or special category</i>	<i>Column (b)</i> <i>Minimum age</i>
AM	17 years.
A1 B, B+E, B1	18 years; or 17½ years if the person holds a learner licence issued by the Republic.

C1, C1+E F, JB	18 years.
A2	20 years, if the person has held a category A1 licence for at least 2 years.
C, CE D1, D1+E A (motor tricycle with a power not exceeding 15kW only) H, I, G	21 years of age.
A (other than a vehicle mentioned above)	22 years if the person has held a category A2 licence for at least 2 years; or 24 years if the person has successfully passed a test of skills and behaviour under the Republic's Driving Licence Law 2001(d).
D, D+E	24 years.

- (2) A person may drive a moped if —
- the person is aged 16 years;
 - holds a Community driving licence or a learner licence issued by the United Kingdom; and
 - the licence referred to in paragraph (b) permits the driving of a moped on attaining the age of 16.
- (3) A person may drive a vehicle in category A1, B, B+E or B1 if—
- the person is aged 17 years;
 - holds a Community driving licence or a learner licence issued by the United Kingdom; and
 - the licence referred to in paragraph (b) permits the driving of a vehicle in category A1, B, B+E or B1 on attaining the age of 17.
- (4) In this regulation “moped” means a 2-wheel vehicle with an engine size of up to 50cc and a maximum speed of 50km/hour.
- (5) A person who contravenes this regulation commits an offence and is liable on conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding €1,025, or both.”.

Amendment of regulation 10 (learner licences)

6. Regulation 10 is amended as follows—

- in paragraphs (2) and (4) for “category A, sub-category A1 or special category J” substitute “category AM, A1, A2 or A”;
- in paragraph (10)(a) omit “sub-category”.

Substitution of regulation 11 (additional validity)

7. Regulation 11 is revoked and substituted with the following—

“Additional validity of recognised driving licences

11. (1) A recognised driving licence for a category of vehicle referred to column (a) of the following table is also a recognised driving licence for the category of vehicle referred to in the corresponding entry in column (b)—

<i>Category column (a)</i>	<i>Category or special category of additional validity column (b)</i>
C1+E, C+E, D1+E, D+E	B+E
C+E	D+E, providing the holder is also a holder of a recognised driving licence for category D, C1+E

D+E	D1+E
A1, A2, A	AM
A2	A1, AM
A	A1, A2, AM
B	B1
C	C1, D, H, I, G, F
D	D1
D1	B, F

- (2) The holder of a recognised driving licence for—
- (a) a non-electric powered motor vehicle in a category or a special category may also drive an electric powered vehicle in the same category or special category;
 - (b) category A1—
 - (i) is deemed to be the holder of a learner’s licence for categories A and A2, which permits the holder only to train to use a vehicle in category A or A2 on private land or in an area specially designated for training by an Area Officer by notice published in the Gazette; and
 - (ii) may drive a vehicle in category A or A2 on a public road only for the purpose of an examination to obtain a skills certificate under the Republic’s Driving Licence Law 2001;
 - (c) category B is deemed to be the holder of a learner licence for categories C, C1 C+E, D, D1, D+E, F,G, H and I, providing the holder has attained the age specified in regulation 9 for driving that category of vehicle.”.

Substitution of Schedule 1 (categories of vehicles for licensing purposes)

8. Schedule 1 is revoked and replaced with the Schedule to these Regulations.

SCHEDULE

Regulation 8

SCHEDULE TO BE SUBSTITUTED FOR SCHEDULE 1

“SCHEDULE 1

Regulation 2(2)

CATEGORIES OF VEHICLES FOR LICENSING PURPOSES

PART 1

CATEGORIES OF MOTOR VEHICLES

<i>Category column (a)</i>	<i>Classes of vehicle column (b)</i>
Mopeds	
AM	<ul style="list-style-type: none"> (1) 2-wheel or 3-wheel vehicle with— <ul style="list-style-type: none"> (a) an engine having a cylinder capacity of up to 50 cc (if of the internal combustion type); and (b) a maximum speed of 45 km/hour. (2) A light quadricycle with— <ul style="list-style-type: none"> (a) an unladen mass of up to 350kg (not including the mass of batteries in the case of an electric vehicle); (b) an engine having a cylinder capacity of up to 50cc (in the case of spark ignition engines) or maximum net power output of up to 4kW (in the case of other internal combustion engines); and (c) a maximum speed of 45 km/hour.

Motorcycles with or without a side car and motor tricycles	
A1	<p>(2) Motorcycle with—</p> <p>(a) an engine having a cylinder capacity of up to 125cc;</p> <p>(b) power of up to 11kW; and</p> <p>(c) a power to weight ratio of up to 0.1kW/kg.</p> <p>(2) Motor tricycle with power up to 15kW.</p>
A2	<p>Motorcycle with—</p> <p>(a) power up to 35kW; and</p> <p>(b) a power to weight ratio of up to 0.2kW/kg and not derived from a vehicle of more than double its power.</p>
A	<p>(1) Motorcycle with or without a sidecar.</p> <p>(2) Motor tricycle with power over 15kw.</p>
Other motor vehicles	
B1	<p>Quadricycle with—</p> <p>(a) an unladen mass of up to 400kg or 550kg for a vehicle intended to carry goods (not including the mass of batteries in the case of an electric vehicle); and</p> <p>(b) maximum net engine power up to 15kW.</p>
B	<p>(1) Motor vehicle—</p> <p>(a) with a maximum authorised mass of 3,500kg; and</p> <p>(b) constructed for carrying no more than 8 passengers (in addition to the driver).</p> <p>(2) Motor vehicle as defined in paragraph (1) combined with a trailer with a maximum authorised mass of 750kg.</p> <p>(3) Motor vehicle as defined in paragraph (1) combined with a trailer with a maximum authorised mass over 750kg, providing the maximum authorised mass of the combination is not more than 4,250kg.</p> <p>(4) Where the combination of motor vehicle and trailer as defined in paragraph (3) is over 3,500kg, the driver must undertake training or pass a skills test in accordance with the Republic's Driving Licence Law 2001.</p>
B+E	<p>Combination of vehicles consisting of a tractor vehicle in Category B and trailer or semi-trailer providing the maximum authorised mass of the trailer or semi-trailer is not more than 3,500kg.</p>
C1	<p>(1) Motor vehicle, other than a vehicle in category D or D1,—</p> <p>(a) with a maximum authorised mass over 3,500kg, but not more than 7,500kg; and</p> <p>(b) constructed for carrying no more than 8 passengers (in addition to the driver).</p> <p>(2) Motor vehicle as defined in paragraph (1) combined with a trailer with a maximum authorised mass of 750kg.</p>
C1+E	<p>(1) Combination of vehicles consisting of a tractor vehicle in category C1 and trailer or semi-trailer with a maximum authorised mass over 750kg, providing the authorised mass of the combination is not more than 12,000kg.</p> <p>(2) Combination of vehicles consisting of a tractor vehicle in category B and trailer or semi-trailer with a maximum authorised mass over 3,500kg, providing the authorised mass of the combination is not more than 12,000kg.</p>
C	<p>(1) Motor vehicle, other than a vehicle in category D1 or D,—</p> <p>(a) with a maximum authorised mass of over 3,500kg; and</p> <p>(b) constructed for carrying no more than 8 passengers (in addition to the driver).</p> <p>(2) Motor vehicle as defined in paragraph (1) combined with a trailer with a maximum authorised mass of 750kg.</p>

C+E	Combination of vehicles consisting of a tractor vehicle in category C and a trailer or semi-trailer with a maximum authorised mass over 750kg.
D1	(1) Motor vehicle— (a) constructed for carrying no more than 16 passengers (in addition to the driver); and (b) with a maximum length not exceeding 8 metres. (2) Motor vehicle as defined in paragraph (1) combined with a trailer with a maximum authorised mass of 750kg.
D1+E	Combination of vehicles consisting of a tractor vehicle in category D1 and a trailer with a maximum authorised mass over 750kg.
D	(1) Motor vehicle constructed for carrying more than 8 passengers (in addition to the driver). (2) Motor vehicle as defined in paragraph (1) combined with a trailer with a maximum authorised mass of 750kg.
D+E	Combination of vehicles consisting of a tractor vehicle in category D and a trailer with a maximum authorised mass over 750kg.

PART 2

SPECIAL CATEGORIES

<i>Special Category</i>	<i>Classes of vehicle</i>
F	Motor engine tractor with pneumatic tyres.
H	Motor engine tractor with caterpillar tyres.
G	Road roller.
I	Heavy type motor vehicle.
JB	Electric powered vehicle.

PART 3

MOTOR VEHICLES NOT WITHIN A CATEGORY OR SPECIAL CATEGORY

1. This Part applies if a motor vehicle does not fall within any of the categories or special categories specified in Part 1 or 2.

2. If a motor vehicle has equipment or another structure affixed to it, the vehicle may be driven by the holder of a recognised driving licence of the appropriate category for the vehicle on which the equipment or structure is affixed.

3. The category of a motor vehicle to which this Part applies is determined by either its weight or the number of passengers it is constructed to carry (as is appropriate to the case).”.

Dated this 11th day of January 2013.

J. S. Wright,
Deputy Administrator,
Sovereign Base Areas.

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

Notes

- (a) Ordinance 5/06; section 3 was repealed and substituted by section 3 of the Motor Vehicles and Road Traffic (Consolidation) (Amendment) Ordinance 2012 (32/12).
(b) P.I. 35/09, amended by P.I. 22/10.
(c) Republic of Cyprus Gazette No. 4609 of 30 November 2012.
(d) Law 94(I)/2001, Republic of Cyprus.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. This explanatory note relates to the Motor Vehicles and Road Traffic (Driver Licensing) (Amendment) Regulations 2012 (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.

2. The Regulations amend the Motor Vehicles and Road Traffic (Driver Licensing) Regulations 2009 (the “principal Regulations”), which make provision for the recognition of driving licences issued by the Republic, other European Union countries and third countries. The Regulations replicate relevant amendments to Republican law made by the Driving Licence (Amendment) Law 2012 (Law 79(1)/2012). The purpose of the Republic’s amendments is to harmonise Republican law with Directive 2006/126/EU of 20 December 2006 on driving licences.

3. The amendments revise the definitions of categories and special categories of motor vehicles. These are set out in the Schedule to these Regulations, which is to be substituted for Schedule 1 to the principal Regulations.

4. Regulation 4 amends regulation 8 of the principle Regulations to put beyond doubt that restrictions and conditions imposed on the holder of driving licence by the country which issued it apply in the Areas. A new paragraph (4B) adopts the Republic’s P.I. 487/2012 which sets out the codes of restrictions and conditions on driving licences issued by the Republic.

5. Regulation 5 substitutes a new regulation 9 of the principal Regulations. It sets out the minimum age at which a person may drive a vehicle in each of the categories. The amendment does not change the minimum age for driving various types of vehicles. For example, the minimum age for driving a car remains at age 18, age 17½ if holding a learner licence issued by the Republic, or age 17 if holding a driving licence issued by an European Union country which permits driving a car at age 17, or a learner licence issued by the United Kingdom.

6. Regulation 7 substitutes a new regulation 11 of the principal Regulations. It sets out the additional validity of driving licences by reference to the new categories and special categories.