



Portugal No. 1 (2023)

Agreement

between the United Kingdom of Great Britain and Northern Ireland and
the Portuguese Republic on Mutual Recognition for the Purpose of
Driving and Exchange of Licences

London, 13 October 2023

[The Agreement is not in force]

*Presented to Parliament
by the Secretary of State for Foreign, Commonwealth and Development Affairs
by Command of His Majesty
October 2023*



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**AGREEMENT BETWEEN THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND THE PORTUGUESE
REPUBLIC ON MUTUAL RECOGNITION FOR THE PURPOSE OF
DRIVING AND EXCHANGE OF DRIVING LICENCES**

The United Kingdom of Great Britain and Northern Ireland and the Portuguese Republic, hereinafter referred to as “Parties”,

Recognising the strong relationship that exists between the Portuguese Republic and the United Kingdom of Great Britain and Northern Ireland and the need to reaffirm, consolidate and develop the particular, strong and historic ties that unite the two peoples, expressed in their closely shared political, cultural and social interests;

Whereas the United Kingdom of Great Britain and Northern Ireland and the Portuguese Republic are Contracting Parties to the Convention on Road Traffic adopted in Vienna on 8 November 1968 (“the 1968 Convention”) and to the Convention on Road Traffic adopted in Geneva on 19 September 1949 (“the 1949 Convention”);

Recognising the need to establish a higher level of mutual recognition than that established in the aforementioned 1949 and 1968 Conventions;

In order to enable drivers in both Parties, by means of the mutual recognition of the validity for the purpose of driving in the other Party and to exchange a driving licence issued by their respective issuing authorities;

Having regard to the principle of reciprocity,

Have agreed as follows:

ARTICLE 1

Purpose

This Agreement intends to establish mutual recognition for the purpose of driving and exchange of full and valid driving licences issued by the Parties’ issuing authorities.

ARTICLE 2

Definitions

For the exclusive purposes of this Agreement, the following definitions shall apply:

- a) “United Kingdom” or “UK” shall be understood as referring to the United Kingdom of Great Britain and Northern Ireland, and to Gibraltar; and
- b) “Portuguese Republic” shall be understood as referring to the Portuguese Republic.

ARTICLE 3

Recognition for the Purpose of Driving and the Exchange of Driving Licences

1. Each Party shall recognise, for the purpose of driving, the driving licences referred to in Article 1, for the categories contained in them and for the term of validity granted by the issuing authorities of the other Party.
2. A Party may require that a driver holding a driving licence issued by one Party should notify the other Party upon acquiring residence in that other Party.
3. In the event of renewal, loss, theft, changes in the details recorded on the driving licence, or endorsement of new categories, the Parties shall exchange the other Party’s driving licences, without the need to take a test, for all categories to which drivers normally and lawfully resident in that Party are entitled, as established in the Annex referred to in paragraph 5 of this Article.
4. When a UK driving licence holder is normally and lawfully resident in the Portuguese Republic or a Portuguese driving licence holder is normally and lawfully resident in the UK, and requests to exchange their driving licence, the exchange shall be carried out in accordance with the domestic legislation applicable in each Party, without prejudice to the provisions of this Agreement.
5. Where a driving licence is to be exchanged, the equivalent entitlement categories shall be those shown in the Annex to this Agreement, which shall form an integral part thereof.
6. An expired driving licence shall be accepted for exchange provided it was valid at the time of obtaining residence, and it expired not more than two (2) years before it was presented for exchange.
7. If a Party issues a driving licence in exchange of a driving licence issued by a third State, recognition for the purpose of driving and exchange of such a driving licence shall be as per the domestic law of the other Party.

8. The Parties may agree any changes relating to the equivalent entitlement categories contained in the Annex.

9. Any change to the Annex under the previous paragraph, shall not be subject to the amendment process set out in Article 12.

ARTICLE 4

Models and Codes

1. Each Party shall provide the other Party its model driving licence images of driving licences currently in circulation.

2. Each Party shall provide the other Party with a list of codes indicated on its driving licences. Recognition for the purpose of driving and exchange of such a driving licence with codes shall be as per the domestic law of the other Party.

ARTICLE 5

Conditions for the Exchange of Driving Licences

1. Exchange of a driving licence under this Agreement shall be subject to the driving licence holder completing the following requirements with the authorities of the Party in which they are resident:

- a) Submitting a valid document providing evidence of their identity and residence;
- b) Being of the minimum age required to drive vehicles in the category or categories for which they wish to exchange their driving licence;
- c) Surrendering their valid driving licence, except:
 - i. In the case of exchange of expired driving licence as per Article 3, paragraph 6, the driving licence holder shall surrender the expired driving licence; or
 - ii. In the case of a lost or stolen driving licence, the driving licence holder shall submit evidence that this has been reported to the police, if so required by the Parties' domestic law.
- d) Submitting a certificate of authenticity for their driving licence from the issuing authority, or provide online verification through an access code

to the issuing authority's website/platform or through notification between the Parties by e-mail;

- e) Submitting a medical/psychological examination report, if required by the Parties' domestic law.

2. The issuing authority carrying out the exchange of the driving licence shall hold the surrendered driving licence and return it in original form within thirty (30) days after its withdrawal, to the original issuing authority. In the case of lost or stolen driving licences, the exchange shall be notified to the original issuing authority within thirty (30) working days.

ARTICLE 6

Applicable Fees

The issuing of driving licences shall be subject to the fees in the domestic law of the issuing Party.

ARTICLE 7

Restrictive Measures on Driving

1. The Parties undertake to inform each other of restrictive measures on driving applied to a driver, including their identity, driving licence number, and a description of the measure applied, in particular, revocation of the driving licence and additional penalties consisting of disqualification from or a ban on driving.

2. The Parties agree not to exchange a driving licence until the restriction on the right to drive ceases to apply.

ARTICLE 8

Protection of the Parties' Domestic Law

None of the provisions of this Agreement may be interpreted as precluding either of the Parties from taking the measures legally provided for within their domestic law in respect of the holder of a driving licence who violates current traffic regulations or commits any acts likely to prejudice road safety.

ARTICLE 9

Data Transfers

1. Where this Agreement provides for the transfer of personal data such transfers will be carried out in accordance with the transferring Party's rules on international transfers of personal data, including as appropriate:

- a) the General Data Protection Regulation (EU) 2016/679 (GDPR);
- b) the European Commission's Implementing Decision of 28 June 2021, pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council on the adequate protection of personal data by the United Kingdom;
- c) the Data Protection Act 2004, the Data Protection Act 2018 and the GDPR as it forms part of the law of the United Kingdom.

2. Each issuing authority shall apply the guarantees for the transfer of personal data to an issuing authority of the other Party as specified in this Article.

ARTICLE 10

Issuing Authorities

1. The issuing authorities responsible for implementing this Agreement are as follows:

- a) For the United Kingdom:
 - i) In Great Britain, the Secretary of State for Transport acting through its executive agency, the Driver and Vehicle Licensing Agency ("DVLA");
 - ii) In Northern Ireland, the Department for Infrastructure ("DFI") acting through its executive agency, the Driver and Vehicle Agency ("DVA"); and
 - iii) In Gibraltar, His Majesty's Government of Gibraltar, acting through its division, the Driver and Vehicle Licensing Department ("DVLD").
- b) For the Portuguese Republic: the Instituto da Mobilidade e dos

Transportes, I.P. (“IMT, I.P.”).

2. Each of the Parties shall inform the other Party in writing through diplomatic channels of any change in the designation of the issuing authorities.
3. The issuing authorities shall provide details of their official contact points and keep each other informed of any subsequent changes.
4. Any change in the issuing authorities shall not constitute an amendment to this Agreement.

ARTICLE 11

Settlement of Disputes

Any disputes arising from the implementation or interpretation of this Agreement shall be settled through negotiation between the Parties through diplomatic channels.

ARTICLE 12

Amendment

1. This Agreement may be amended by mutual consent of the Parties.
2. Any amendments shall enter into force in accordance with Article 14 of this Agreement.

ARTICLE 13

Duration and Termination

1. This Agreement shall remain in force for an unlimited period of time.
2. Either of the Parties may terminate this Agreement at any time upon prior notification, in writing through diplomatic channels.
3. In the event of termination, this Agreement shall cease to be in force ninety (90) days after the date of receipt of the relevant notification and shall have no effect on driving licences exchanged under this Agreement.

ARTICLE 14

Entry into Force

This Agreement shall enter into force thirty (30) days after the date of receipt of the last notification, in writing, through diplomatic channels, that the Parties have completed the internal procedures necessary for its entry into force.

ARTICLE 15

Registration

The Party in which this Agreement is signed shall submit it to the United Nations Secretariat for registration, pursuant to Article 102 of the United Nations Charter, and shall also notify the other Party of the conclusion of that procedure and inform it of the assigned registration number.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

DONE in London, on the thirteenth day of October, in two originals in the English and Portuguese languages, each text being equally authentic.

**For the United Kingdom of Great
Britain and Northern Ireland:**

CHRIS SAINTY

For the Portuguese Republic:

NUNO BRITO

ANNEX
Equivalence Tables

Article 3

Table 1 Equivalence Table for United Kingdom driving licences (issued from 19-1-2013 in Great Britain, Northern Ireland, and in Gibraltar) and Portuguese driving licences

Notes:

1. A United Kingdom driving licence category referred to in Column 1 may be exchanged for a Portuguese driving licence category referred to in Column 2.
2. A Portuguese driving licence category referred to in Column 2 may be exchanged for a United Kingdom driving licence category referred to in Column 1.
3. See Tables 4-5 for exceptions to the equivalence of United Kingdom driving licence categories and Table 6 for exceptions to the equivalence of Portuguese driving licence categories.

| UK Categories (GB, NI & Gibraltar driving licences issued from 19-1-13) | Portuguese Categories |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| A | A |
| A2 | A2 |
| A1 | A1 |
| AM | AM |
| B | B |
| B1 | B1 |
| C | C |
| C1 | C1 |
| D | D |
| D1 | D1 |
| BE issued in Great Britain before 16-12-21 | BE |
| BE issued in Great Britain on or after 16-12-21; BE issued in Northern Ireland/ Gibraltar in exchange of a GB category BE driving licence issued on or after 16-12- 2021* | B |
| BE issued in Great Britain on or after 16-12-2021 in exchange of a non-GB category BE driving licence.* | BE |
| BE issued in Northern Ireland/Gibraltar, not in exchange of a GB driving licence.* | BE |

| | |
|-----|-----|
| CE | CE |
| C1E | C1E |
| DE | DE |
| D1E | D1E |

* exchange would be indicated by Code 70 on the driving licence.

Table 2 Equivalence Table for United Kingdom driving licences (issued from 1-6-1990 to 19-1- 2013 in Great Britain and in Northern Ireland; issued from 2-12-1990 to 19-1- 2013 in Gibraltar)

Notes:

1. A United Kingdom driving licence category referred to in Column 1 or 2 may be exchanged for a Portuguese driving licence category referred to in Column 3.
2. See Tables 4-5 for exceptions to the equivalence of United Kingdom driving licence categories.

| UK Categories (GB & NI driving licences issued from 1-6-1990 to 19-1-2013) | UK Categories (Gibraltar driving licences issued from 2-12-1990 to 19-1-2013) | Portuguese Categories |
|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------|
| A1 | A1 | A1 |
| A2 | - | A2 |
| A | A | A |
| B | B | B |
| C1 | C1 | C1 |
| C | C | C |
| D1 | D1 | D1 |
| D | D | D |
| BE | BE | BE |
| CE | CE | CE |
| C1E | C1E | C1E |
| D1E | D1E | D1E |
| DE | DE | DE |
| F | Not applicable | Without equivalence |
| G | H | Without equivalence |
| H | Not applicable | Without equivalence |

| | | |
|---|----------------|---------------------|
| K | AM | Without equivalence |
| L | Not applicable | Without equivalence |
| N | Not applicable | Without equivalence |
| P | Not applicable | Without equivalence |

Table 3 Equivalence Table for United Kingdom driving licences (issued up to 31-5-1990 in Great Britain and in Northern Ireland)

Notes:

1. A United Kingdom driving licence category referred to in Column 1 may be exchanged for a Portuguese driving licence category referred to in Column 2.
2. See Table 4 for exceptions to the equivalence of United Kingdom driving licence categories.

| UK Categories (GB & NI driving licences issued up to 31-5-1990) | Portuguese Categories |
|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A | B B1 BE C1 C1E D1 D1E |
| B | B (Code 78) B1 (Code 78) BE (Code 78) C1 (Code 78) C1E (Code 78) D1 (Code 78) D1E (Code 78) Code 78 indicates mandatory automatic transmission |
| C | B1 |
| D | A1 A2 A |
| E | AM |

Table 4 Exceptions to exchange of UK (Great Britain and Northern Ireland) driving licence categories

| UK (GB & NI) NOTATION | INFORMATION |
|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Code 1 before 01-01-97 and Code 101 from 01-01-97 in GB 079 (NFHR) in NI | Code 101 means not for hire or reward. This category of driving licence is not granted in the Portuguese Republic. Usually follow categories D1 and D1E. This is a national arrangement in the UK and does not entitle the holder to obtain this category on exchange of a UK driving licence for a Portuguese driving licence. |
| Code 102 | The category CE with this restriction is for drawbar trailer only. The Portuguese Republic has no equivalent to this. These drivers have not passed a driving test in the UK in this category and have therefore not proved their competence in these vehicles. This is a national arrangement in the UK and does not entitle the holder to obtain this category on exchange of a UK driving licence for a Portuguese driving licence. |
| Code 105 | Not more than 5.5 m long. |
| Code 107 | The category C1E entitlement with this restriction was granted in the UK on passing a category B (car) driving test before 1 st January 1997. It entitles the driver to drive a C1E vehicle provided the combined weight of the trailer and the towing vehicle does not exceed 8.25 tonnes/kg. This was a national arrangement and does not entitle the holder to obtain this category on exchange of a UK driving licence for a Portuguese driving licence. |
| Code 122 | If restriction code 122 on category P then category AM not given on exchange |

Table 5 Exceptions to exchange of UK (Gibraltar) driving licence categories

| UK (GIBRALTAR) NOTATION | INFORMATION |
|--------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Code 105 | For category C automatic vehicles only. Exchangeable in the Portuguese Republic for Category C with Code 78. Category D entitlement is awarded for manual vehicles. No passengers. Only local to Gibraltar. Not exchangeable in the Portuguese Republic. |

Table 6 Exceptions to exchange of Portuguese driving licence categories

| PORTUGUESE NOTATION | INFORMATION |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Category B | In the Portuguese Republic a driving licence issued for category B entitles the holder to drive category A1 (light motorbike). This does not apply in UK, and so entitlement to drive category A1 shall not, in the UK, be granted on exchange by virtue of a category B entitlement on a Portuguese driving licence. |

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