s 47F(1) 09/09/2004 11:19 AM

To:

347F(1)DTW@DTW 347F(1) /DTW@DTW

Subject: cable - Recognition of Australian Driving Licences

fyi

-- Forwarded by \$ 47F(1) \$ 22(1)(a)(ii)

DTW on 09/09/2004 11:19 AM ----

@dotars.gov.au> on 06/09/2004 03:23:24 PM

To:

s 22(1)(a)(ii) s 47F(1)

@dfat.gov.au>, s 22(1)(a)(ii)

s 22(1)(a)(ii)@dotars.gov.au>

Subject: cable - Recognition of Australian Driving Licences

Dear s 22(1)(a)(ii)

Please find attached the cable for forwarding to EU15 member states and 7 additional countries presently recognised by Australian State and Territory driver licensing authorities requesting that Posts pursue the potential for reciprocal arrangements for the recognition of Australian driving licences.

This cable has the approval of all members of the Austroads Registration and Licensing Task Force.

Please don't hesitate to call either or myself if there are any aspects of the document that you would like to discuss.

regards s 22(1)(a)(ii)

Dangerous Goods Policy Road Transport Reform

s 22(1)(a)(ii)

s 22(1)(a)(ii) @dotars.gov.au

- cable Austroads to EU15+7 Posts re recognition of Aust driving licences.doc

#### Recognition of Australian Driving Licences

1/3

O. UNC .

TO.

FM. CANBERRA/ FA /REF s 22(1)(a)(ii)

UNCLASSIFIED

Recognition of Australian Driving Licences

START OF SUMMARY

Australian state and territory driving licensing authorities recognise car and motorcycle driving licences issued in all current EU15 member states, Japan, Canada, the US, Norway, Switzerland Singapore and Croatia as meeting Australian standards. Overseas visitors from these countries can drive on their licences but those who wish to seek residency must convert to an Australian Licence. Holders of valid driving licences from countries recognised by Australia are not required to sit a practical driving assessment, but must pass a knowledge test (although this requirement is presently under review) to acquire an Australian driving licence. Posts are asked to approach national licensing authorities to determine the extent to which Australian driving licences are recognised. Where recognition of driving licences is not mutual, Posts are asked to pursue the potential for reciprocal arrangements with Australia for Australian drivers in obtaining local driving licences.

#### END OF SUMMARY

- 1. Some EU Posts have reported requests from Australian citizens living abroad that we pursue full recognition of Australian driving licences. Australians resident overseas (not visitors), where such recognition does not apply, have expressed concern that it can be costly and cumbersome to complete practical driving and other requirements to obtain a local licence.
- 2. In Australia driver licensing is a State and Territory function. National consistency is achieved through a process run by Austroads, which is an association of Australian and New Zealand road transport and traffic authorities that aims to improve road and road transport outcomes. The Australian Government participates in a number of Austroads processes, including membership of the Registration and Licensing Task Force, but in the area of driver licensing is not an implementing jurisdiction.
- 3. The Austroads Registration and Licensing Taskforce, presently recognises the car and motorcycle driving licences of 22 countries as being of an acceptable standard. This presently allows their citizens wishing to take up permanent residency here to convert to an

#### Recognition of Australian Driving Licences

2/3

Australian Licence subject to satisfying processes outlined in paragraph 5 below. Licensing authorities from presently unrecognised countries may submit a request for recognition with appropriate documentation to the Austroads Registration and Licensing Program Manager.

- 4. The assessment of the licensing standards for recognition in Australia is undertaken according to four main criteria:
  - i. Learner Driver Requirements
    There must be:
  - A mandatory requirement for compulsory training or a set learning period for learner drivers to gain tuition and experience prior to undertaking a driving assessment before the (overseas) licence is issued.
  - A minimum 3 month period for learner drivers to gain experience. Information on conditions imposed on novice drivers provided must also be provided.
  - ii. Practical Assessment

The licence test conducted to obtain a licence (in the overseas country) must be of a similar standard to that in Australia. It must include:

- A knowledge test of road law, signs and safe driving practices.
- A practical driving assessment, which includes basic vehicle handling skills, obedience to traffic signs and signals and assimilating with other road users.
- iii. Licence Document

To ensure a licence document provided is genuine the licence issue process must be of a standard that:

- Requires adequate proof of identity.
- Records and maintains accurate licence data.
- Issues a licence with a photograph on it of a type that is not easily duplicated or forged (for example, credit card type licence with built in security measures).
- Samples of the licence data cards currently in use must be provided.
- iv. Training Qualifications
  Information on training or qualifications of the persons
  conducting the tests must be provided.
- 5. Holders of car and motorcycle licences from recognised countries are eligible to apply for an equivalent Australian licence without having to undertake a practical driving test. They are only required to sit a road law knowledge test, eyesight and identity tests, and provide a certified English translation of their licence. Please note that the requirement to sit road law knowledge test is currently under review by Austroads.

#### Recognition of Australian Driving Licences

3/3

- 6. We are seeking reciprocal rights for holders of Australian driving licences resident in countries which have Australian recognition. A preferred outcome would be the exemption from the requirement to sit a practical driving test or to undergo further practical driver training in those 22 countries where we presently accept the adequacy of local licensing.
- 7. Action: Posts are asked to approach the relevant local licensing authorities to advise them of Australia's driving licence recognition regime and ascertain the extent to which Australian licences are granted recognition. Where Australian licences are currently not recognised, Posts are asked to gauge the host government's willingness to remedy the situation preferably through reciprocating our unilateral action.
- 8. Australian licensing authorities are presently not prepared to enter into more formal high-level arrangements and seek the cooperation of licensing authorities in a less formal but effective and structured assessment procedure for licensing recognition arrangements. Such unilateral action would give the outcome of reciprocity. Should other countries not giving reciprocity to Australians wish to explore such an outcome, the preference is that it be negotiated directly between the Australian Registration and Licensing Program and a nominated contact in the local driver licensing authority.
  - 9. Prepared in consultation with DFAT.

XC.

CM. s47F(1) , Program Manager, Registration and Licensing Program, Austroads, s47F(1)

s 47E(d)

Title: Recognition of Australian Driving Licences

MRN: s 47E(d) s 22(1)(a)(ii)

**To:** s22(1)(a)(ii)

The Hague; s22(1)(a)(ii)

Cc: s22(1)(a)(ii)

From: Canberra (CHCH/DFAT/AED)

From File: References:

Response: Routine, Information Only

# UNCLASSIFIED

# **Summary**

Posts are asked to approach national licensing authorities to determine the extent to which Australian driving licences are recognised. Where recognition of driving licences is not mutual, posts are asked to pursue the potential for reciprocal arrangements with Australia on obtaining local driving licences.

Some EU Posts have reported requests from Australian citizens that we pursue full recognition of Australian driving licences. Australians resident overseas (not visitors), where such recognition does not apply, have expressed concern that it can be costly and cumbersome to complete practical driving and other requirements to obtain a local licence. There is also the issue of Australian tourists who drive from one country where their Australian licence is recognised into another where their licence is not.

- 2. Australian state and territory driving licensing authorities recognise car and motorcycle driving licences issued in the previous 15 EU member states plus Japan, Canada, the US, Norway, Switzerland, Singapore and Croatia as meeting Australian standards. Overseas visitors from these countries can drive on their licences but those who wish to seek residency must convert to an Australian licence. Holders of car and motorcycle licences from recognised countries are eligible to apply for an equivalent Australian licence without having to undertake a practical driving test. They are only required to sit a road law knowledge test, eyesight and identity tests, and provide a certified English translation of their licence. Please note that the requirement to sit road law knowledge test is currently under review by Austroads.
- 3. In Australia driver licensing is a state and territory function. National consistency is achieved through a process run by Austroads, which is an association of Australian and New Zealand road transport and traffic authorities that aims to improve road and road transport outcomes. The Australian Government participates in a number of Austroads processes, including membership of the Registration and Licensing Task Force, but in the area of driver licensing is not an implementing jurisdiction.
- 4. The Austroads Registration and Licensing Taskforce, presently recognises the car and motorcycle driving licences of 22 countries as being of an acceptable standard. This presently allows citizens of these countries wishing to take up permanent residency here to convert to an Australian Licence subject to satisfying processes outlined in paragraph 5 below. Licensing authorities from presently unrecognised countries may submit a request for recognition with appropriate documentation to the Austroads Registration and Licensing Program Manager.

s 47E(d)

- 5. The assessment of the licensing standards for recognition in Australia is undertaken according to four main criteria:
- i. Learner Driver Requirements

There must be:

- A mandatory requirement for compulsory training or a set learning period for learner drivers to gain tuition and experience prior to undertaking a driving assessment before the (overseas) licence is issued.
- A minimum 3 month period for learner drivers to gain experience. Information on conditions imposed on novice drivers must also be provided.

## ii. Practical Assessment

The test conducted to obtain a licence (in the overseas country) must be of a similar standard to that in Australia. It must include:

- A knowledge test of road law, signs and safe driving practices.
- A practical driving assessment, which includes basic vehicle handling skills, obedience to traffic signs and signals and assimilating with other road users.

#### iii. Licence Document

To ensure a licence document provided is genuine the licence issue process must be of a standard that:

- Requires adequate proof of identity.
- Records and maintains accurate licence data.
- Issues a licence with a photograph on it of a type that is not easily duplicated or forged (for example, credit card type licence with built in security measures).
- Samples of the licence data cards currently in use must be provided.

# iv. Training Qualifications

Information on training or qualifications of the persons conducting the tests must be provided.

- 6. We are seeking reciprocal rights for holders of Australian driving licences resident in countries which have Australian recognition. A preferred outcome would be the exemption from the requirement to sit a practical driving test or to undergo further practical driver training in those 22 countries where we presently accept the adequacy of local licensing.
- 7. Action Posts are asked to approach the relevant local licensing authorities of accredited governments listed in paragraph 1 (the former EU15 plus Japan, Canada, US, Norway, Switzerland, Singapore and Croatia) to advise them of Australia's driving licence recognition regime and ascertain the extent to which Australian licences are granted recognition, both for tourists and residents. Where Australian licences are currently not recognised, Posts are asked to gauge the host government's willingness to remedy the situation through reciprocating our unilateral action. Should host country governments currently not giving reciprocity to resident Australians be prepared to grant reciprocity, Austroads preference is that it be arranged directly between the Australian Registration and Licensing Program and the local driver licensing authority. Austroads would prefer not to enter into formal bilateral arrangements to effect this outcome.

s22(1)(a)(ii)

- 9. Prepared in consultation with DFAT.
- 10. This request has been cleared by PLI.

text ends

s 47E(d)

Title: Recognition of Overseas Driving Licences: Changes to

Procedure

MRN: s 47E(d) s 22(1)(a)(ii)

**To:** s22(1)(a)(ii)

The Hague; s22(1)(a)(ii)

Cc:

Ministers: Parliamentary Sec. FA

From: Canberra (CHCH/DFAT/AED)

From File:

References: s 47E(d)

Response: Routine, Information Only

# UNCLASSIFIED

# Summary

Holders of licences from countries whose licences are recognised by Australia will no longer be required to sit a knowledge test when applying for an Australian licence. Posts are asked to communicate this change to the relevant authorities in host countries. Austroads has also recommended that the practice of hole-punching overseas driving licences when issuing an Australian licence be discontinued.

Austroads, the Australian inter-state roads authority, has advised us that it has introduced a procedural change to make it easier for holders of overseas licences that are recognised by Australia to obtain and hold an Australian licence.

- 2. The Austroads Council has agreed that the requirement for holders of drivers licences from countries with licences recognised by Australia to sit a road law knowledge test will be waived. Applicants from these countries will only have to provide adequate proof of identity, sit an eyesight test, and provide their current licence and a certified English translation of it. While all jurisdictions have agreed to make this change as soon as practicable, given the need for legislative changes in some of the eight jurisdictions, there will be a time lag in implementation at least in some states. Australian state and territory drivers licence authorities currently recognise licences for this purpose from the previous 15 EU member states as well as Japan, Canada, the US, Norway, Switzerland, Singapore and Croatia (as per reftel). Grateful posts advise their respective driving licence authorities of this change to procedure.
- 3. Austroads has also advised that all Australian state and territory jurisdictions have agreed to support a recommendation to the Australian Transport Council to discontinue the practice of hole punching, marking or destroying overseas drivers licences when issuing an Australian licence. If the recommendation is adopted, once an Australian drivers' licence is issued to a holder of a licence from one of the countries recognised by Australia, the overseas licence will be returned to the holder.

s 47E(d)

4. To maintain the "one person one licence" principle, Austroads intends to alter Australia's national licensing database to include a new field to capture data on foreign licences presented as the basis for the issuance of an Australian Licence. This will ensure that a foreign licence holder with an Australian licence will be identified electronically and unable to either "jurisdiction shop" for multiple licences or accumulate points on both an Australian and a foreign licence.

#### text ends

Sent by:	s 22(1)(a)(ii)		
Prepared by:	AED Ext. <sup>622(1)(a)(</sup>		
Approved by:	s 22(1)(a)(ii) , A/g AS, EWB		
Topics:	CONSULAR/Public Information, CONSULAR/Services and Policy, PROTOCOL/General, PROTOCOL/Missions & Consuls in Australia, SOCIAL ISSUES/General		

s 47E(d)

Sent by:

s 22(1)(a)(ii)

Prepared by:

s 47F(1)

, Program Manager, Registration and Licensing Program, Austroads, 647F

Approved by:

Topics:

CONSULAR/Services and Policy

Title: EU: Recognition of Australian driver licences

**MRN:** s 47E(d) s 22(1)(a)(ii)

To: EU Posts

**Cc:** RR : Europe Posts

From: Canberra

(CHCH/DFAT/EUD/EWB)

From File: \$47E(d)

EDRMS Files:

References: The cable has the following attachment/s -

Table EU-AUS Driver Licence Recognition.docx

Response: Routine, Information Only

# **Summary**

We are examining options with the EU towards the mutual recognition of European and Australian driver licences. To assist with these discussions, Posts are asked to report on the status of recognition of Australian driver licences in their EU countries and EU candidate countries of accreditation by 17 August.

At the May round of the EU-Australia Framework Agreement negotiations, the European Commission raised concerns about Australia's non-recognition of eleven EU countries' driver licences (list attached), arguing that with the introduction in 2013 of a single EU licence outstanding member states should gain recognition. These concerns were also raised during the visit of Director-General Mobility and Transport Ruete in Canberra on 27 July. This issue is of particular interest for states, which see it primarily in terms of being treated the same as older EU members (\$ 47E(d) refers).

2. We have agreed to look at options to progress this issue outside of the Framework Agreement negotiations. While we would be prepared to consider proposals for the recognition of EU member states driver licences where the licensing systems in those countries meet Australian standards, we want to avoid granting recognition to countries where this treatment is not reciprocal. \$22(1)(a)(ii)

Therefore, we will be

seeking reciprocal recognition for Australian licences for any further recognition of EU member state licences.

3. To assist with these discussions, grateful Posts report on the status of recognition of Australian driver licences in their EU countries and EU candidate countries of accreditation. If Australian licences are not recognised (ie. automatically accepted for conversion to the country licence with no testing), please set out the reasons why. If they are recognised, we welcome information on the procedures Australian licence holders must comply with to receive recognition. We would also be interested in receiving information on the number of complaints made to you by Australians citizens affected by non-recognition. Please note that our focus is not/not on short-term recognition with or without the use of an international licence. Rather, we seek recognition of Australian licences for

long-term residents in Europe. This often involves the conversion of the Australian licence to a European licence. Grateful for responses by Friday 17 August.

- 4. The recognition of foreign driver licences in Australia is a state and territory government competency. Countries seeking recognition of their drivers' licences must meet the criteria set out by Austroads Overseas Licence Assessment Panel, an association of state government transport authorities. Currently, recognition is granted by Austroads on a case-by-case basis without consideration given to reciprocal arrangements. DFAT is working with Austroads and the Department of Infrastructure and Transport (DIT) on proposals to fast-track the recognition of the remaining eleven EU countries' licences. One such proposal is to offer (on the basis of reciprocity) blanket 'experienced driver recognition' to drivers 25 years of age or older from non-recognised EU countries who have held a driver licence for a number of years.
- 5. For your background, from 2013 a single EU licence will progressively replace individual country licences (EU Directive 2006/126/EEC). EU member countries have until January 2033 to ensure that licences issued or in circulation meet the standards set out in this Directive. \$ 33(a)(iii)

6. This cable was prepared in consultation with Austroads and DIT.

#### text ends

Sent by: \$ 22(1)(a)(ii)
Prepared

by: Approved by:

**Topics:** GOVERNMENT RELATIONS/State and Territory, POLITICAL-ECONOMIC/International Political,

TRADE/Policy General

▼ New Distribution

s 47E(d)

Title: EU: Recognition of Australian driver licences - The Netherlands

**MRN:** s 47E(d) s 22(1)(a)(ii)

To: Canberra
Cc: RR : EU Posts
From: The Hague
From File: \$ 47E(d)

EDRMS Files:

References: \$ 47E(d)

**Response:** Routine, Information Only

# **Summary**

Thanks reftel. Local legislation permits Australians who hold a State or Territory Driving Licence to use the licence for 185 days on arrival in the Netherlands. At the end of this time, the licence holder is required to apply for a Dutch licence, by undergoing a theory and practical test. The Netherlands will not exchange Australian driver licences for a local licence.

Thanks reftel. Post welcome efforts in seeking the mutual recognition of Australian and European driver licences. The Netherlands will not exchange Australian drivers licences for a local licence. The only exception to this rule is if the person is eligible for the 30 per cent tax ruling, a special tax category for foreigners who fulfil the a specific criteria. The Netherlands currently allows the exchange of foreign licences provided the licence is from an EU/European Free Trade Association (EFTA) country or a select list of non-EU countries. Local legislation permits Australians who hold a State or Territory Driving Licence to use the licence for 185 days on arrival in the Netherlands. At the end of this time, the licence holder is required to apply for a Dutch licence by undergoing a theory and practical test.

- 2. The Netherlands allows the exchange of foreign licences provided the foreign licence is from an EU/European Free Trade Association (EFTA) country or a select group of non-EU countries (Taiwan, Israel, Japan, Singapore, Andorra, South Korea, and Quebec/Canada). Citizens from countries that are not included on this list must complete a full theory and practical test to obtain a Dutch driving licence. The only exception to this rule is if the foreigner is working in the Netherlands under the '30 per cent tax ruling'. The 30 per cent tax ruling is a special tax category for certain foreigners working in the Netherlands who are eligible to receive a tax free allowance equal to 30 per cent of gross salary. To be eligible for the 30 per cent tax ruling, the foreigner must possess specific skills that are scarce in the Netherlands and be initially recruited from abroad by their employer. The foreigner's employer must apply for the exception on their employee's behalf. The number of Australians who qualify for this exception is limited. When an Australian licence is eligible to be exchanged for a Dutch driving licence, the licence is returned to post by the Dutch licensing authority.
- 3. Australian visitors and short-term residents (less than 185 days) in the Netherlands who have a valid Australian driving licence can legally drive in the Netherlands for up to 185 days.

4. Australian residents who intend to remain in the Netherlands for longer than 185 days (from the date of the beginning of their resident permit) must apply for a Dutch driving licence. The applicant is treated as a new driver and must complete all the relevant tests that apply for local applicants. This includes a theoretical exam (with specific dates available to conduct the test in English), driving lessons (which are highly recommended in the Netherlands in order to pass the practical test), and then a practical test with an instructor. From 1 October 2012 for a B class driving licence (car equivalent) the theory test costs EUR 39.96, the practical test EUR 96.34, and lessons cost approximately EUR 30–50 each and a complete lesson package can cost EUR 900 or more. The prices include an additional fee to be able to complete the tests in English.

#### text ends

Sent by: s 22(1)(a)(ii)

Prepared by: Approved by:

Topics: GOVERNMENT RELATIONS/State and Territory, POLITICAL-ECONOMIC/International Political,

TRADE/Policy General

**▼**New Distribution

s 47E(d)

From: s 22(1)(a)(ii)

To: Cc:

Subject: FW: reciprocal recognition of Australian and Dutch Driver"s Licences [SEC=UNCLASSIFIED]

Date: Saturday, 13 December 2014 3:17:27 AM

HI s 22(1)(a)(ii)

The Dutch are interested in some information relating to our request.

\*22(1)(a)(iii) recalls that some of this information is available/attainable from AUSRoads.

Could we bother you to followup.

On our side, we will do a small audit/estimation of the number of Aussies who obtain Dutch Licences each year — based on the number of retained Aussie Licences we receive from the RDW (They withhold the Aussie Licence and then give it to us after a short time).

Regards

s 22(1)(a)(ii)

s 33(a)(iii), s 33(b)

From: To: Subject: Date:

s 47F(1) s 22(1)(a)(ii) s 22(1)(a)(iii) RE: Netherlands: Overseas recognition of Australian driver's licences [SEC=UNCLASSIFIED] Friday, 13 March 2015 3:06:25 PM

image001.jpg image002.png image003.png image004.png

# Hi<sup>s 22(1)(a)(i)</sup>

The decision to recognise the Netherlands was made by the licensing agencies under the auspices of Austroads in June 2001.

I understand that some of the states and territories have references in their legislation enabling them to recognise countries on the Austroads list of recognised countries as shown on the Austroads website (e.g. ACT clause 141 and QLD in definitions).

For specifics about the administrative versus legislative basis for recognition in each state and territory I will have to contact each jurisdiction separately. It could take some time to get responses back from all of them.

#### Table 4: Legislation

NSW http://www5.austlii.edu.au/au/legis/nsw/consol\_reg/rtlr2008431/ VIC http://www.legislation.vic.gov.au/Domino/Web. Notes/LDMS/PubStatbook.nst/b05145073fa2a882ca256da4001bc4a7/418535CE710E4E87CA25761E001D6A84/\$FILE/09-095sr.pdf http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/T/TrantOpRUDLR10.pdf http://www.austili.edu.au/au/legis/wa/consol\_act/rta19741111/ QLD WA SA http://www.legislation.sa.gov.au/LZ/C/R/MOTOR%20VEHICLES%20REGULATIONS%202010/CURRENT/2010.30.UN.PDB TAS http://www.thelaw.tas.gov.au/tocview/index.w3p.cond=:doc\_id=%2B37%2B2010%2BAT%40EN%2B20150119000000:histon=:promp
NT http://notes.nt.gov.au/dcm/legislat/legislat.nst/linkreference/TRAFFIC%20REGULATIONS?opendocument
ACT http://www.legislation.act.gov.au/sl/2000-14/current/pdt/2000-14.pdf TAS NT

Regards S 47F(1)

Registration & Licensing Program Coordinator Austroads Suite 2, Level 9

287 Elizabeth Street, Sydney NSW 2000 S 47F(1)



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From: \$22(1)(a)(jj) (a)(distribution (a) (distribution (a) (distrb

Thanks for this information.

Just to clarify though, did each Australian state and territory have to pass/amend legislation to recognise Dutch drivers licences as equivalent, or was it simply an administrative decision by each state and territory licensing authority? Either way, do you know when the decision was made to recognise the Netherlands i.e. what year?

Many thanks

## s 22(1)(a)(ii)

Assistant Director

Department of Foreign Affairs and Trade

Western Europe Section EU and Western Europe Branch Europe Division

s 22(1)(a)(ii) @dfat.gov.au s 22(1)(a)(ii)

I | www.dfat.gov.au

From: \$ 47F(1) Sent: Friday, 13 March 2015 10:04 AM

To:s 22(1)(a)(ii)
Cc: Austroads
Subject: Netherlands: Overseas recognition of Australian driver's licences [SEC=UNCLASSIFIED]

The decision to recognise the Netherlands and a number of other countries was a policy decision made because those countries were recognised as having comparable licensing standards to Australia.

I have attached a copy of the cable that was sent to relevant posts.

Unfortunately at present we don't have a mechanism for determining the number of requests for Dutch driver licence exchanged for Australian licences

If there is anything else I can help with please contact me

s 47F(1)

Registration & Licensing Program Coordinator Austroads

Suite 2, Level 9 287 Elizabeth Street, Sydney NSW 2000 S 47F(1)



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From: \$ 22(1)(a)(ii)

Sent: iuesaay, 1/ repruary 2015 11:16 AM

To: \$ 47F(1)

Cc: \$ 22(1)(a)(ii) @dfat.gov.au]

Subject: Overseas recognition of Australian driver's licences [SEC=UNCLASSIFIED]

You may recall we were in contact early last year about the recognition of Australian driver's licences in the Netherlands. You provided me with some helpful advice on the matter

Since we were last in touch, our embassy in The Hague has been liaising with Dutch authorities with a view to having Australian driver's licences recognised in the Netherlands without the need for further testing and training. In the context of those discussions, the Dutch transport authorities have asked the embassy two questions, and I was hoping you might be able to assist us in responding to them. The questions are:

When and on what legal bases were the recognition of Dutch driver's licences done in the different states and territories of Australia? Do we have an estimation of the yearly number of requests for the exchange of Dutch driver's licences for Australian driver's licences?

I would be most grateful for any assistance you can provide in helping us respond to these two questions.

Many thanks

s 22(1)(a)(ii) Assistant Director

Department of Foreign Affairs and Trade

E s 22(1)(a)(ii) @dfat.gov.au Western Europe Section

T | S 22(1)(a)(ii) EU and Western Europe Branch

Europe Division

I | www.dfat.gov.au

F|

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Please visit us at <a href="http://www.transport.nsw.gov.au">http://www.transportnsw.info</a>

Subject:

RE: reciprocal recognition of Australian and Dutch Driver"s Licences [SEC=UNCLASSIFIED] Friday, 13 March 2015 8:12:20 PM

Thanks \$ 22(1)(a)(ii)

I have forwarded on your advice to the Dutch and we shall see what their response is.

As an FYI, all states and territories have recognised the Netherlands as an exchange country –

	Recognised		
State	country	Link	
New South Wales	Yes	http://www.rms.nsw.gov.au/roads/licence/moving-to-nsw.html#recognised_countries	
Victoria	Yes	https://www.vicroads.vic.gov.au/licences/renew-replace-or-update/new-to-victoria/overseas-drivers	
Queensland	Yes	http://www.qld.gov.au/transport/licensing/driver-licensing/overseas/transfer/index.html	
South Australia	Yes	http://www.sa.gov.au/topics/transport-travel-and-motoring/motoring/drivers-and-licences/transfer-your-overseas-licence	
Western Australia	Yes	http://www.transport.wa.gov.au/licensing/transferring-your-overseas-licence.asp	
Tasmania	Yes	http://www.transport.tas.gov.au/licensing/newtotas/overseas	
Northern Territory	Yes	http://transport.nt.gov.au/mvr/licensing/faqs/overseas-licence	
ACT	Yes	http://www.rego.act.gov.au/licence/overseas-and-interstate-licence-information/overseas-drivers	

Regards

# s 22(1)(a)(ii)

From: \$ 22(1)(a)(ii)
Sent: Friday, 13 march 2015 6:36 AM
To:\$ 22(1)(a)(ii)

Ce: Subject: RE: reciprocal recognition of Australian and Dutch Driver's Licences [SEC=UNCLASSIFIED]

⊔; s 22(1)(a)

My profound apologies for the delay in getting back to you. I've finally had some advice through from Austroads which enables me to answer the first of the two questions that the Dutch authorities put to you.

Recognition of Dutch drivers' licences in Australia was made by the state/territory licensing agencies under the auspices of Austroads in June 2001. In terms of the legal basis for that recognition, Austroads advised that some of the states and territories have references in their legislation enabling them to recognise countries on the Austroads list of recognised countries as shown on the Austroads website, e.g. the ACT:

# 141 Meaning of recognised country

(1) For this regulation, a recognised country, in relation to a foreign driver licence, means a country listed as a recognised country by Austroads and published on its website from time to time.

Note The list of recognised countries is available at www.austroads.com.au.

While I am not a lawyer, my reading of this provision is that the list of countries can be updated without the legislation needing to be amended.

While the ACT legislation seems clear. Austroads wasn't sure if all the states and territories adopted the same approach, and said it would take time to confirm this. I told them not to bother as hopefully the ACT approach is enough for the Dutch to see how drivers' licence recognition is accommodated.

If the Dutch are interested in how Austroads determines whether drivers' licensing regimes in other countries meet Australian standards, the requirements are set out on the Austroads website: http://www.austroads.com.au/drivers-vehicles/overseas-driver-licences/country-recognition

On the second question the Dutch asked (about the yearly number of requests for the exchange of Dutch drivers' licences for Australian ones), I'm afraid Austroads does not hold that data.

I hope this information is of assistance. Please let me know if you need anything further or more specific and I will do my best to obtain it for you.

Regards

# s 22(1)(a)(ii) Assistant Director

Department of Foreign Affairs and Trade

Western Europe Section EU and Western Europe Branch Europe Division

s 22(1)(a)(ii) @dfat.gov.au s 22(1)(a)(ii) I www.dfat.gov.au

From: \$ 22(1)(a)(ii)

Sent: Friday, 30 January 2015 6:56 PM

To: \$ 22(1)(a)(ii)

Ce: Subject: RE: reciprocal recognition of Australian and Dutch Driver's Licences [SEC=UNCLASSIFIED]

HI s 22(1)(a)(ii)

## s22(1)(a)(ii)

We were wondering if there has been any news on the Ausroads front? We have had a couple of new enquiries about changing the process that we would like to be able to give a little bit of an update on.

Regards

# s 22(1)(a)(ii)

From: s 22(1)(a)(ii)
Sent: inursaay, 18 December 2014 11:01 PM
To s 22(1)(a)(ii)

Cc:
Subject: RE: reciprocal recognition of Australian and Dutch Driver's Licences [SEC=UNCLASSIFIED]

His 22(1)(a)

# s 22(1)(a)(ii)

Thanks for following up on this. I will speak to Ausroads and try and elicit this information.

Regards

s 22(1)(a)(ii

From: \$ 22(1)(a)(ii)

Sent: Saturcay, 13 December 2014 3:17 AM

To: \$ 22(1)(a)(ii)

Cc:

Subject: FW: reciprocal recognition of Australian and Dutch Driver's Licences [SEC=UNCLASSIFIED]

HI s 22(1)(a)(ii)

The Dutch are interested in some information relating to our request.

s 22(1)( recalls that some of this information is available/attainable from AUSRoads.

Could we bother you to followup.

On our side, we will do a small audit/estimation of the number of Aussies who obtain Dutch Licences each year – based on the number of retained Aussie Licences we receive from the RDW (They withhold the Aussie Licence and then give it to us after a short time).

s 22(1)(a)(ii)

s 33(a)(iii), s 33(b)

s 33(a)(iii), s 33(b)

# FACT SHEET 6

RELEASED INDER F

AUSTRALIAN EMBASSY
CARNEGIELAAN 4, 2517 KH THE HAGUE
THE NETHERLANDS
TEL: (31) 070-3108200 FAX: (31) 070-3107863
www.netherlands.embassy.gov.au

# DUTCH DRIVER'S LICENCE

Holders of Australian State or Territory Driving Licenses are no longer able to exchange an Australian license for a Dutch license without sitting a test.

Local legislation permits Australians who hold a State or Territory Driving License to use the license for 185 days from arrival in the Netherlands. By the end of that time you must take a test to obtain a Dutch license.

The Bureau Nader Onderzoek Rijvaardigheid (BNOR), Tel (070-4130300) advises applicants who are intending to remain over 185 days, to start procedures to qualify for a Dutch license as soon as possible after arrival in the Netherlands.

You may obtain further information about these provisions directly from the Rijksdienst voor het Wegverkeer, Onderafdeling Rijbewijzen (Road Transport Directorate, Driving Licenses Subdivision) at the following address:

# Rijksdienst voor het Wegverkeer Onderafdeling Rijbewijzen Postbus 9000 9640 HA Veendam

You can call the Driving License Sub-division direct on:

# 0900-0739

Upon the successful completion of your test, you are issued a temporary document "Verklaring van Rijvaardigheid van BNOR". The town hall will facilitate the production of the driving license upon application

As so many different types of driving licenses from various countries are submitted for exchange, the validity or authenticity of every document has to be verified. The Driving License Sub-division may therefore ask you to have the validity and significance of certain information confirmed by the Embassy of the country that issued the foreign driving license. You may also be required to have the content of the foreign driving license translated by an attested interpreter/translator.

# Exchange of license

Upon successful completion of the test, The town hall will request the Australian License be surrendered before issuing the Dutch license.

The Australian license is forwarded by the RDW to the Embassy in due course. If the holder wishes to receive the license back to an address in the Netherlands, the holder should request to the Embassy in writing, stating the request and including date of birth and address details.

If the holder does not request for its' return, the license will be held at the Embassy for approximately six months before being returned to the address detailed on the license.

If the holder of the Australian State or Territory license applies for an exemption under the 30% tax ruling, the holder must request return of his/her Australian license at the time of issue of the Dutch license. The Licensing Division prefers a letter from the employer in which the employer informs the Licensing Division that the Australian license is required by the holder for use, say, during business trips to Australia, etc. If not requested, the Australian license is held by the Dutch authorities for one year, after which, the Embassy has been informed it is destroyed. Holders would need to apply for a "duplicate" Australian license from the respective State or Territory Road Traffic Authority or for a replacement, in the usual manner.

Further legislation concerns holders of Australian State or Territory licenses who are persons employed temporarily in the Netherlands and whose work is of essential importance to the Dutch economy. Such persons and their family members may exchange any foreign driving license for a Dutch one. This provision applies to persons who, in the opinion of the Inspector of Direct Taxes in Heerlen, are covered by regulations issued by the State Secretary for Finance.

DISCLAIMER: This information has been compiled to assist persons who wish to make enquiries about Dutch driving licences. Whilst every care has been taken in preparing this information and to ensure its accuracy, the Australian Embassy at The Hague cannot accept any responsibility for the success or otherwise of your enquiries, nor any costs involved with them.

From:

Sent: Tuesday, 8 April 2014 5:53 PM

**To:** s 47F(1)

**Subject:** Consular/Citizen Services question about Driver's licenses [SEC=UNCLASSIFIED]

Hi s 47F(1)

I hope you are well. I realise that you are probably not the best person to ask this question of but I was wondering if you could direct my below query to the relevant person in your embassy.

Does the Dutch Licensing authority recognise/allow a direct swap of driver's licenses for your citizens, or are there conditions involved?

Dutch authorities have required Australians sit both a theory and practical exam in order to obtain a Dutch license (except for individuals living here in the Netherlands under the 30% ruling). The RDW then take the Australian License away from our citizens. I had one of my staff do a bit of research and it seems that it is only possible for Member states of the EU, and a few other exceptions, to change over their license without sitting an exam. Our research seems to indicate that Japanese, Korean and Singaporean Citizens are part of these exceptions.

Can you advise if Japanese Citizens are able to transfer their Japanese drivers licenses directly for a Dutch driver's license, without having to take a practical exam?

Any information you can shed on this matter is greatly appreciated.

# Regards

s 22(1)(a)(ii) | Second Secretary & Consul

**Embassy of Australia** 

Carnegielaan 4, 2517 KH The Hague, The Netherlands

s 22(1)(a)(ii) @dfat.gov.au | www.netherlands.embassy.gov.au

From: s 22(1)(a)(ii)

**Sent:** Thursday, 16 May 2024 2:43 PM

**To:** s 22(1)(a)(ii)

Cc: Consular Brussels

**Subject:** Brussels Post - driver's licence exchange process for Australian driver's licences

[SEC=OFFICIAL:Sensitive]

**OFFICIAL: Sensitive** 

Hi s 22(1)(a)(ii)

Was nice chatting on the phone this morning – though I'm sorry to hear you're also having issues here with the driver's licence exchange process in the Netherlands. s 33(a)(iii)

I've included some template responses below that we provide to clients on a regular basis. While it doesn't usually solve the overall issue, it at least provides some context for Australians on the exchange process. \$ 33(a)(iii)

s 22(1)(a)(ii)

In terms of broader driving licence exchange and recognition in the EU as a third country, this seems to be on a member-state to member-state basis: <u>Driving licence exchange and recognition in the EU - Your Europe (europa.eu)</u>.

Below I've included some standard replies that we provide to clients who have had queries about the driver's licence exchange process.

I hope the information is useful. More than happy to chat further if you have any questions!

Cheers s 22(1)(a)(ii)

Second Secretary (Trade) & Consul Australian Embassy to Belgium and Luxembourg and Mission to the European Union and NATO Level 7, Avenue des Arts 56, 1000 Brussels, Belgium s 22(1)(a)(ii)

@AustraliaEU | Facebook | www.eu.mission.gov.au

s 22(1)(a)(ii)

# Standard reply on retrieving the issue date of the driver's licence:

Please note the Australian Embassy is unfortunately not in a position to retrieve the issue date of your Australian driver's licence or provide a document outlining these details.

You can obtain this document and/or necessary information directly from the relevant state or territory transport authority that your driver's licence is issued in.

We have included some further links below that may be useful when reaching out to the state or territory transport authority:

- Services for Australians Driving licences (embassy.gov.au)
- Road Traffic Authorities (embassy.gov.au) list of Australian state and territory transport authorities

From: s 22(1)(a)(ii)

**Sent:** Friday, 17 May 2024 12:56 PM

To: s 22(1)(a)(ii)

Subject: RE: Recognition of Australian driver's licence in the Netherlands and plead for an

equal and easy exchange of an Australian for a Dutch licence [SEC=OFFICIAL]

# **OFFICIAL**

Hi s 22(1)(a)(ii)

Agree with your sentiments. Its also hard for us to quantify the number of Australians impacted by this decision.

Holding statement last time, and like responses from previous emails to Post

Thank you for your email and bringing this to our attention.

We will be reaching out to various colleagues including Dutch authorities and will come back to you soon with an update. It may take a few weeks however we have this on our agenda and looking forward to formally replying soon.

Happy to be guided by you.

Kind regards

s22(1)(a)(ii) | Consular Services and Passport Officer

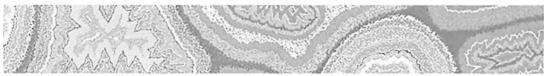
Embassy of Australia

Carnegielaan 4, 2517 KH The Hague, The Netherlands

s 22(1)(a)(ii)

@dfat.gov.au

Website | Twitter | Facebook | Instagram | LinkedIn



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<u>We acknowledge</u> the Traditional Custodians of Country throughout Australia, and their continuing connection to land, waters and community. We pay our respects to all First Nations peoples, their cultures and to their Elders, past, present and emerging.

From: s 22(1)(a)(ii) @dfat.gov.au>

Sent: Thursday, May 16, 2024 5:12 PM

To: s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii)

@dfat.gov.au>

**Subject:** Re: Recognition of Australian driver's licence in the Netherlands and plead for an equal and easy exchange of an Australian for a Dutch licence[SEC=OFFICIAL]

#### **OFFICIAL**

Thanks \$ 22(1)(a)(ii). What was the holding statement we sent last time? We can draw on that.

Will discuss with HOM. To be honest we need to consider priorities so will see where this sits?

Cheers 5 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>

Date: Thursday 16 May 2024 at 1:53:19 PM

To: s 22(1)(a)(ii) @dfat.gov.au>, s 22(1)(a)(ii) @dfat.gov.au>, s 22(1)(a)(ii)

@dfat.gov.au>

Subject: RE: Recognition of Australian driver's licence in the Netherlands and plead for an equal and easy exchange

of an Australian for a Dutch licence [SEC=OFFICIAL]

OFFICIAL

Hi team,

I've had a chat with our Belgium colleagues and whilst there is an agreement in place for member states when it comes to managing the exchange of driver's licences within the EU, there is nothing on the agenda for non-EU countries.

In relation to the Netherlands, it doesn't appear that there is any mutual recognition agreement, however some attempts over the years to start a conversation but no progress.

Response from RDW (circa 2020) is Australia has a different form of examination & the assignment of certain licence categories which are not in line with Dutch law, therefore does not comply with European Driving Licence directive (2006/126/EC). <a href="https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32016D1945">https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:32016D1945</a>

Both Japan and ROK have a licence exchange agreement with the Netherlands that applies to certain categories of licences not a blanket rule for every licence issued by their respective countries. The USA are in the same situation as Australia.

There are two main issues.

- 1. Australians who enter the Netherlands on a Highly Skilled Migrant visa and eligible for the 30% ruling are entitled to an exchange making the response from RDW difficult to understand and the application of policy unfair for those not entitled to this ruling.
- 2. In reverse, all Australian states and territories recognise the Netherlands has similar driver licensing standards as Australia. Consequently, Dutch driving licence holders may exchange their driver's license to an Australian without the need for additional testing.

We have seen an increase in activity on this topic on social media, and today we have received another email requesting an update on our position.

s 22(1)(a)(ii)

#### Next Steps

I'd like to have a holding statement we can send out to any enquiries we receive, noting increase interest in this topic in the community. I'll draft something up for your approval \$22(1)(a)(i) ?

s 22(1)(a)(ii) keen to understand HOM and your thoughts if this is something we pursue and how to progress.

Kind regards

Consular Services and Passport Officer

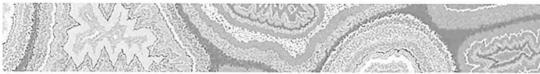
Embassy of Australia

Carnegielaan 4, 2517 KH The Hague, The Netherlands

s 22(1)(a)(ii)

@dfat.gov.au

Website | Twitter | Facebook | Instagram | LinkedIn



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From: s 22(1)(a)(ii)

@dfat.gov.au>

Sent: Thursday, April 4, 2024 1:25 PM

To: s 22(1)(a)(ii)

@dfat.gov.au>; s 22(1)(a)(ii)

@dfat.gov.au>; s 22(1)(a)(ii)

@dfat.gov.au>

Subject: Re: Recognition of Australian driver's licence in the Netherlands and plead for an equal and easy exchange of an Australian for a Dutch licence [SEC=OFFICIAL]

**OFFICIAL** 

Hi s 22(1)(a)(ii)

Many thanks for that update. Of course the issue for us is that in Australia licences are issued by state agencies, not a central national authority as would be the case in NZ. So, you'd need to essentially make an agreement with each state!!

s22(1)(a)(ii)

Cheers

s 22(1)(a)(ii)

From: s 22(1)(a)(ii)

@dfat.gov.au>

Sent: Thursday, April 4, 2024 1:22 PM

To: s 22(1)(a)(ii)

@dfat.gov.au>; s 22(1)(a)(ii)

@dfat.gov.au>; s 22(1)(a)(ii)

@dfat.gov.au>

Subject: RE: Recognition of Australian driver's licence in the Netherlands and plead for an equal and easy exchange of an Australian for a Dutch licence [SEC=OFFICIAL]

**OFFICIAL** 

Hi 5 22(1)(a)(ii)

s 33(a)(iii)

Thanks s 22(1)(a)(ii)

s22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>

Sent: Thursday, February 15, 2024 3:51 PM

To:s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii)

@dfat.gov.au>; s 22(1)(a)(ii)

@dfat.gov.au>

**Subject:** RE: Recognition of Australian driver's licence in the Netherlands and plead for an equal and easy exchange of an Australian for a Dutch licence [SEC=OFFICIAL]

**OFFICIAL** 

Hi s 22(1)(a)(ii)

So far, I have not engaged anyone (yet) during my time here on this issue. s22(1)(a)(ii)

It is definitely possible to swap a Dutch licence for an Australian one (I did so myself a long time ago) and it's also on the various websites of states in Australia. A few below:

WA - <u>Transfer your overseas licence (transport.wa.gov.au)</u>: Netherlands – Recognised, no conditions apply

VIC - <u>How to convert your overseas licence</u>: <u>VicRoads</u>: you do not need to do any tests, you do not need to have an appointment at VicRoads so we can check your licence and identity

NSW - <u>Transfer an overseas driver licence</u> | <u>Service NSW</u>: Testing exemption for the recognised countries including Netherlands

This might be a project we can take on, but this will likely need to be done via MFA who deals with the licensing agency RDW: Particulier | RDW. The list of countries that are recognised is pretty random.

Exchanging a foreign driving licence | RDW

Driving licences from countries outside the EU/EFTA that can be exchanged You will get the licence category listed below



You must have lived in the country for 185 days in the year you obtained the licence. Only then: exchange.

Country	Category
Andorra	Category B (passengér car)
Canadian province of Alberta	Category B (class 5, passenger car)
Canadian prosince of Québec	Category B (class 5, passenger car)
Gibraltar	All categories
Great Britain	All categories
Guernsey	All categories
Israel	Category B (passenger car)
Ĵарап	Categories A and B (1B, passenger cars and motorcycles with of more than 400 cm3)
Jersey	All categories
Isle of Man	All categories
Monace	All categories
North Ireland	All categories
Singapore	Category A (class 2, motorcycles with cylinder capacities of m category B (class 3, passenger car)
Chinese Taiper (Taiwari)	Category B (passenger car)
Former Netherlands Antilles (Aruba, Bonaire, Curacao, Saba, Sint Eustatius and Sint Mearten)	All categories

Kind regards

s 22(1)(a)(II)

From: s 22(1)(a)(ii) @dfat.gov.au>

Sent: Thursday, February 15, 2024 3:10 PM

To: s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii)

@dfat.gov.au>

**Subject:** Re: Recognition of Australian driver's licence in the Netherlands and plead for an equal and easy exchange of an Australian for a Dutch licence [SEC=OFFICIAL]

**OFFICIAL** 

# s 22(1)(a)(ii)

Thanks for sending this through - but do we have any corro with the Dutch Gov re the recognition and exchange of Aus licences like we do for the Dutch in Aus (according to these emails we do anyway)? Just wanted to see if we've engaged and what they've said.

Also do we have evidence the Dutch can actually have licence reciprocity in Aus?

Cheers

s 22(1)(a)(ii)

From: s 22(1)(a)(ii) @dfat.gov.au>

Sent: Thursday, February 15, 2024 11:15 AM

To:s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii) @dfat.gov.au>; s 22(1)(a)(ii)

@dfat.gov.au>

**Subject:** FW: Recognition of Australian driver's licence in the Netherlands and plead for an equal and easy exchange of an Australian for a Dutch licence [SEC=OFFICIAL]

**OFFICIAL** 

For info

From: s 22(1)(a)(ii) @dfat.gov.au>

Sent: Tuesday, May 4, 2021 12:44 PM To: s 22(1)(a)(ii) @dfat.gov.au>

Subject: Recognition of Australian driver's licence in the Netherlands and plead for an equal and easy exchange of an

Australian for a Dutch licence [SEC=OFFICIAL]

**OFFICIAL** 

Dear<sup>s 22(1)(a)(ii)</sup>

We spoke about this before a couple of weeks ago concerning the recognition of Australian driver's licence in the
Netherlands and plead for an equal and easy exchange of an Australian for a Dutch licence as in Australia.

After some emails in 2014, s 22(1)(a)(ii) had started to set up a dialogue with the Dutch concerning the recognition and exchange policy for Australian licences in the Netherlands and that it's felt unfair and not in line with the rest of Europe.

I have attached some emails from 2014 and also the emails from this year campaigning for fair exchange of licences.

The folder in Trim with information from \$ 22(1)(a)(ii) is \$ 47E(d) December 2014.

I received a reminder from \$ 22(1)(a)(ii) about his email and if you are ok with it I will reply to him that we have received his email well and will look into the matter. And that the requirements imposed by European transport authorities on the recognition of Australian drivers' licences vary from country to country. While Australian drivers' licences are recognised by some European countries (such as the United Kingdom), others (including the Netherlands), do not allow an Australian driver's licence to be automatically converted to a local one.

Are you ok with this?

With Kind regards,

s 22(1)(a)(ii)

Consular, Passports and Administrative Officer | Embassy of Australia | The Hague

Carnegielaan 4, 2517 KH The Hague, The Netherlands

s 22(1)(a)(ii)

@dfat.gov.au | www.netherlands embassy.gov.au

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