



STATUTORY INSTRUMENTS.

S.I. No. 434 of 2010



ROAD TRAFFIC ACT 1994 (SECTIONS 18 AND 19) (PRESCRIBED
FORMS) REGULATIONS 2010

(Prn. A10/1321)

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ROAD TRAFFIC ACT 1994 (SECTIONS 18 AND 19) (PRESCRIBED FORMS) REGULATIONS 2010

I, NOEL DEMPSEY, Minister for Transport, in exercise of the powers conferred on me by sections 18 and 19 of the Road Traffic Act 1994 (No. 7 of 1994) and the National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 298 of 2002) (as adapted by the Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 305 of 2002)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic Act 1994 (Sections 18 and 19) (Prescribed Forms) Regulations 2010.

(2) These Regulations come into operation on 11 October 2010.

2. In these Regulations “Act of 1994” means Road Traffic Act 1994 (No. 7 of 1994).

3. The form set out in Schedule 1 is prescribed as the form for the purposes of section 18 of the Act of 1994.

4. The form set out in—

(a) Part 1 of Schedule 2, in the case of a certificate determining the concentration of alcohol in a specimen, or

(b) Part 2 of Schedule 2, in the case of a certificate determining the presence of a drug or drugs in a specimen,

is the prescribed form of certificate for the purposes of section 19 of the Act of 1994.

5. The Road Traffic Act 1994 (Part III) Regulations 1994 (S.I. No. 351 of 1994) (other than Regulation 5) and the Road Traffic Act 1994 (Part III) (Amendment) Regulations 2001 (S.I. No. 173 of 2001) are revoked.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 14th September, 2010.

FIRST SCHEDULE

Form to be completed by a designated doctor under section 18 of the Road Traffic Act, 1994.

- 1. Name and address of the person from whom the specimen to which this form relates was taken, or who provided the specimen.
- 2. Nature of specimen.
(insert "blood" or "urine" as appropriate)
- 3. Place at which specimen was taken or provided.
(delete whichever is not appropriate)
 - (a)
Garda Síochána Station
 - (b)
Hospital
- 4. Date on which specimen was taken or provided.
- 5. Time at which specimen was taken or provided.
- 6. Garda Síochána station from which the specimen will be forwarded to the Bureau.
(to be completed in the case of a specimen taken or provided in a hospital)

I, the under — signed designated doctor

(a) took from the person named at 1 above the specimen of blood or
(delete whichever is not appropriate)

(b) obtained from the person named at 1 above the specimen of urine

to which this form relates.

I divided the specimen into two parts. I placed each part in a container, which I forthwith sealed.

I labelled each container with the name of the person and the date. I gave both containers to a member of the Garda Síochána.

Signature of designated doctor

SECOND SCHEDULE

Part 1

Certificate issued by the Medical Bureau of Road Safety under section 19 of the Road Traffic Act, 1994, certifying a concentration of alcohol.

Deimhniú arna eisiúint ag an Lia-Bhiúró um Shábháilteacht ar Bhóithre faoi alt 19 den Acht um Thrácht ar Bhóithre, 1994, ina ndeimhnítear cion alcóil.

Particulars relating to specimen received for analysis, as shown on the form completed by designated doctor:—

Sonraí a bhaineann le sampla arna fháil lena anailísiú, mar a thaispeántar ar an bhfoirm arna comhlánú ag an dochtúir ainmnithe:—

1. Name and address of the person from whom the specimen was taken or who provided the specimen.
Ainm agus seoladh an duine ónar tógadh an sampla nó a sholáthair an sampla.
2. Nature of specimen. (*insert "blood" or "urine" as appropriate*)
An cineál sampla. (*cuir isteach "fuil" nó "fual" de réir mar is cuí*)
3. Place at which specimen was taken or provided.
An áit inar tógadh nó inar soláthraíodh an sampla.

(a) Garda Síochána Station	(a) An Stáisiún Garda Síochána	a)
(b) Hospital	(b) Ospidéal	b)

(delete whichever is not appropriate) (scrios cibé ceann nach bhfuil cuí)
4. Date on which specimen was taken or provided.
An dáta ar ar tógadh nó ar ar soláthraíodh an sampla.
5. Time at which specimen was taken or provided.
An t-am a tógadh nó a soláthraíodh an sampla.

6. Garda Síochána station from which the specimen analysed was forwarded.

An Stáisiún Garda Síochána ónar cuireadh an sampla ar aghaidh.

(to be completed in the case of a specimen taken or provided in a hospital)

(le comhlánú i gcás sampla a tógadh nó a soláthraíodh in ospidéal)

The Medical Bureau of Road Safety certifies that on analysis by the Bureau the specimen to which the above particulars relate contained a concentration of

(delete whichever is not appropriate)

Deimhníonn an Lia-Bhiúró um Shábháilteacht ar Bhóithre, tar éis don Bhiúró anailís a dhéanamh, go raibh, sa sampla lena mbaineann na sonraí thuas, cion

(scrios cibé ceann nach bhfuil cuí)

.....
milligrammes of alcohol per 100 millilitres of blood or urine.
m(h)illeagram alcóil in aghaidh an 100 millilítear fola nó fuail.

Signature of person who carried out the analysis / Síniú an duine a rinne an anailís

.....

Date/Dáta

This certificate is issued under section 19 of the Road Traffic Act, 1994.
Eisítear an deimhniú seo faoi alt 19 den Acht um Thrácht ar Bhóithre, 1994.

The Seal of the Medical Bureau of Road Safety was affixed hereto this
Greamaíodh Séala an Lia-Bhiúró um Shábháilteacht ar Bhóithre de seo ar an

..... day of /lá seo de

in the presence of /i láthair

(Chairman *or* Director *or* Deputy Director of the Bureau *or* member of the Bureau duly authorised by the Bureau to act in that behalf).

(Cathaoirleach *nó* Stiúrthóir *nó* Leas-Stiúrthóir an Bhiúró *nó* comhalta den Bhiúró arna údarú *nó* arna húdarú go cuí ag an mBiúró chun gníomhú chuige sin).

Part 2

**Certificate issued by the Medical Bureau of Road Safety under section 19 of the Road Traffic Act, 1994, certifying the presence of a drug or drugs.
Deimhniú arna eisiúint ag an Lia-Bhiúró um Shábháilteacht ar Bhóithre faoi alt 19 den Acht um Thrácht ar Bhóithre, 1994, á dheimhniú go bhfuil druga nó drugaí ann.**

Particulars relating to specimen received for analysis, as shown on the form completed by designated doctor:—

Sonraí a bhaineann le sampla arna fháil lena anailísiú, mar a thaispeántar ar an bhfoirm arna comhlánú ag an dochtúir ainmnithe:—

1. Name and address of the person from whom the specimen was taken or who provided the specimen.
Ainm agus seoladh an duine ónar tógadh an sampla nó a sholáthair an sampla.

2. Nature of specimen. (*insert "blood" or "urine" as appropriate*)
An cineál sampla. (*cuir isteach "fuil" nó "fual" de réir mar is cuí*)

3. Place at which specimen was taken or provided.
An áit inar tógadh nó inar soláthraíodh an sampla.

(a) Garda Síochána Station	(a) An Stáisiún Garda Síochána	a)
(b) Hospital	(b) Ospidéal	b)

(delete whichever is not appropriate) (scrios cibé ceann nach bhfuil cuí)

4. Date on which specimen was taken or provided.
An dáta ar ar tógadh nó ar ar soláthraíodh an sampla.

5. Time at which specimen was taken or provided.
An t-am a tógadh nó a soláthraíodh an sampla.

6. Garda Síochána station from which the specimen analysed was forwarded.

An Stáisiún Garda Síochána ónar cuireadh an sampla ar aghaidh.

(to be completed in the case of a specimen taken or provided in a hospital)

(le comhlánú i gcás sampla a tógadh nó a soláthraíodh in ospidéal)

The Medical Bureau of Road Safety certifies that on analysis by the Bureau the specimen to which the above particulars relate contained the presence of the following drug or drugs.
(delete whichever is not appropriate)

Deimhníonn an Lia-Bhiúró um Shábháilteacht ar Bhóithre, tar éis don Bhiúró anailís a dhéanamh, go raibh an druga nó na drugaí seo a leanas sa sampla lena mbaineann na sonraí thuas.
(scrios cibé ceann nach bhfuil cuí)

Signature of analyst/Síniú an anailísí

.....

Date/Dáta

This certificate is issued under section 19 of the Road Traffic Act, 1994.
Eisítear an deimhniú seo faoi alt 19 den Acht um Thrácht ar Bhóithre, 1994.

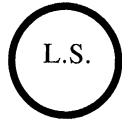
The Seal of the Medical Bureau of Road Safety was affixed hereto this
Greamaíodh Séala an Lia-Bhiúró um Shábháilteacht ar Bhóithre de seo ar an

..... day of /lá seo de

in the presence of /i láthair

(Chairman or Director or Deputy Director of the Bureau or member of the Bureau duly authorised by the Bureau to act in that behalf).

(Cathaoirleach nó Stiúrthóir nó Leas-Stiúrthóir an Bhiúró nó comhalta den Bhiúró arna údarú nó arna húdarú go cuí ag an mBiúró chun gníomhú chuige sin).



GIVEN under my Official Seal,
31 August 2010.

NOEL DEMPSEY,
Minister for Transport.

EXPLANATORY NOTE

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

These Regulations prescribe the form to be completed by a designated doctor under section 18 of the Road Traffic Act, 1994 and the certificate, both in English and Irish, to be issued by the Medical Bureau of Road Safety under section 19 of the Road Traffic Act, 1994.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
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