STATUTORY INSTRUMENTS

2007 No. 916

The Road Traffic (Northern Ireland) Order 2007

PART V

DRIVING INSTRUCTION

Instructors and instruction businesses to be registered

Paid driving instruction: offences

49.—(1) If driving instruction is given in contravention of Article 48(1)(a)–

(a) the person by whom it is given;

(b) if that person is employed by another to give that instruction, that other (as well as that person); and

(c) if that person is a franchisee under a driving instruction franchise, the franchisor under the driving instruction franchise (as well as that person),

is guilty of an offence.

(2) If a person contravenes Article 48(1)(b) he is guilty of an offence.

(3) In proceedings against a person for an offence under paragraph (1) or (2) it shall be a defence for him to prove that he did not know, and had no reasonable cause to believe, that–

(a) in a case within sub-paragraph (a) of paragraph (1), or within paragraph (2), he;

(b) in a case within sub-paragraph (b) of paragraph (1), the person employed by him; or

(c) in a case within sub-paragraph (c) of that paragraph, the person who was the franchisee under the driving instruction franchise,

was not at the material time registered in respect of the description of driving instruction in question.

(4) If a person contravenes Article 48(2) he is guilty of an offence.