



# Road Safety Act 2006

## 2006 CHAPTER 49

### *Driving standards*

#### **43 Tests: approved assistants**

In the Road Traffic Act 1988, before section 163 insert—

*“Requirement for approval of persons to assist at tests*

#### **162A Approved test assistants**

- (1) The Secretary of State may make regulations permitting any person wishing to be accompanied at a relevant test by another person (a “test assistant”) to be so accompanied if—
  - (a) he submits himself for the relevant test in any circumstances in which the Secretary of State considers it appropriate that he should be entitled to be so accompanied, and
  - (b) the test assistant is approved in accordance with regulations under this section to accompany people at relevant tests in such circumstances in order to assist them in undergoing the relevant tests.
- (2) The circumstances in which the Secretary of State considers it appropriate that a person should be entitled to be accompanied by a test assistant at a relevant test may include, for example, circumstances in which he is likely to have difficulty in hearing, understanding or responding to instructions or questions in the course of the relevant test without assistance.
- (3) The regulations may make provision in relation to the approval of test assistants and may, in particular, include provision—
  - (a) in relation to the making of applications for approval,
  - (b) for the payment in respect of applications for approval, or of approvals, (or both) of fees of such amounts as are prescribed,
  - (c) in relation to the period for which an approval is to have effect and withdrawing approval,

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**Changes to legislation:** Road Safety Act 2006, Section 43 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (d) authorising the imposition of conditions on an approval,
  - (e) for an appeal to lie to the Transport Tribunal against a refusal of an application for approval, the imposition of conditions on an approval or the withdrawal of approval,
  - (f) prescribing circumstances in which an approved test assistant may not act as such,
  - (g) as to the evidencing by persons of their status as approved test assistants, and
  - (h) authorising the Secretary of State to make available (with or without charge) information about approved test assistants.
- (4) The regulations may make different provision in relation to different cases.
- (5) The following are relevant tests—
- (a) tests of competence to drive a motor vehicle prescribed by virtue of section 89(3) of this Act or section 36(5) of the Road Traffic Offenders Act 1988,
  - (b) examinations of ability and fitness (or continued ability and fitness) to give driving instruction for which provision is made by virtue of section 132 of this Act, and
  - (c) emergency control assessments under section 133A of this Act.”

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**Commencement Information**

**II** S. 43 in force at 24.9.2007 by S.I. 2007/2472, art. 2(m)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 6 para. 8A inserted by [2016 c. 16 s. 3\(3\)](#)
- Sch. 6 para. 10A inserted by [2016 c. 16 s. 4\(2\)](#)
- Sch. 6 para. 13(9) inserted by [2016 c. 16 s. 4\(5\)](#)