
STATUTORY INSTRUMENTS

2007 No. 605

ROAD TRAFFIC

The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007

Made - - - - 28th February 2007
Laid before Parliament 2nd March 2007
Coming into force in accordance with regulation 1(2)

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972 ^{M1}, section 101(2) and (3) of the Road Traffic Act 1988 ^{M2} and, with the consent of the Treasury, section 56(1) and (2) of the Finance Act 1973 ^{M3}.

The Secretary of State for Transport is a Minister designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to the regulation and supervision of the qualifications and working conditions of persons engaged in road transport ^{M4}.

He has consulted with such representative organisations as he thinks fit in accordance with section 195(2) of the Road Traffic Act 1988.

Marginal Citations

- M1** 1972 c.68.
M2 1988 c.52; [section 101](#) was amended by [S.I. 1996/1974](#).
M3 1973 c.51.
M4 [S.I. 1975/1707](#).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007.

(2) These Regulations shall come into force as follows —

- (a) all regulations other than regulation 15 shall come into force on 27th March 2007;
(b) in regulation 15 —

- (i) paragraph (4), and paragraphs (1) and (5) so far as they relate to that paragraph, shall come into force on 10th September 2008;

(ii) paragraphs (2) and (3), and paragraphs (1) and (5) so far as they are not already in force, shall come into force on 10th September 2009.

(3) These Regulations extend to Northern Ireland except regulation 15.

Interpretation

2.—(1) In these Regulations —

[^{F1}“the Directive” means Directive 2003/59/EC of the European Parliament and of the Council on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers [^{F2}, as amended on and before 26th July 2019];]

^{F3}

“the 1988 Act” means the Road Traffic Act 1988;

“the 1981 Order” means the Road Traffic (Northern Ireland) Order 1981 ^{M5};

“the Driving Licences Regulations” means the Motor Vehicles (Driving Licences) Regulations 1999 ^{M6};

“armed forces” means the naval, military or air forces of the Crown and includes the reserve forces;

[^{F4}“bank holiday” means a day to be observed as such under section 1 of, and Schedule 1 to, the Banking and Financial Dealings Act 1971;

[^{F5}“British external licence” has the same meaning as in section 88(8) of the 1988 Act;]

“candidate” means a person submitting, or seeking to submit, to an initial CPC test;]

^{F6} ...

“Community licence”—

(a) in relation to Great Britain, has the same meaning as in section 108(1) of the 1988 Act ^{M7}, and

(b) in relation to Northern Ireland, has the same meaning as in Article 2(2) of the 1981 Order;

“competent authority” means—

(a) in relation to Great Britain, the Secretary of State, and

(b) in relation to Northern Ireland, the Department of the Environment;

“CPC” has the meaning given by the seventh recital to the Directive [^{F7}reading that recital as if the reference to Member States is also a reference to the competent authority];

[^{F8}“driver card” has the meaning given by Article 2(2)(f) of Regulation (EU) No 165/2014 of the European Parliament and of the Council on tachographs in road transport;]

“driving licence” means, except in regulation 4(8)(b) and (c)—

(a) in relation to Great Britain, a full licence within the meaning of section 108(1) of the 1988 Act ^{M8}, and

(b) in relation to Northern Ireland, a full licence within the meaning of Article 2(2) of the 1981 Order;

[^{F9}“driver qualification card” means a card drawn up in accordance with Annex II of the Directive and issued by the competent authority or a member State, reading Annex II in the case of cards drawn up by the competent authority as if—

(a) references to the Member State are references to the competent authority,

- (b) paragraphs 2(c) and (e) were omitted, and
- (c) in paragraph (4), “After consulting the Commission” were omitted;]
- “driving test” means—
- (a) in relation to Great Britain, a test of competence prescribed under section 89(3) of the 1988 Act, and
- (b) in relation to Northern Ireland, a test of competence prescribed under Article 5(3) of the 1981 Order;
- “fire and rescue authority”—
- (a) in relation to ^{F10}England and Wales], has the same meaning as in section 1 of the Fire and Rescue Services Act 2004 ^{M9}, ^{F11}...
- (b) in relation to Northern Ireland, has the same meaning as “fire authority” in Article 3 of the Fire Services (Northern Ireland) Order 1984 ^{M10}; ^{F12}and]
- (c) ^{F12}in relation to Scotland, means the Scottish Fire and Rescue Service;]
- ^{F13}“Gibraltar licence” means a licence to drive a motor vehicle granted under the law of Gibraltar;]
- “initial CPC” means a CPC within the meaning of Article 6 of the Directive (CPC certifying the initial qualification) ^{F14}reading that Article as if the references to Member States, and Member States' competent authorities, are also references to the competent authority];
- “initial CPC test” means the tests for initial qualification referred to in Article 3(1)(a)(ii) of the Directive ^{F15}reading that Article as if the reference to a Member State is also a reference to the competent authority];
- ^{F16}“NHS ambulance service” means—
- (a) an NHS trust or NHS foundation trust established under the National Health Service Act 2006 which has a function of providing ambulance services;
- (b) an NHS trust established under the National Health Service (Wales) Act 2006 which has a function of providing ambulance services;
- (c) the Scottish Ambulance Service Board; or
- (d) the Northern Ireland Ambulance Service Health and Social Care Trust;]
- ^{F17}“NVT certificate” means an authorisation issued by the competent authority under regulation 4(5)(d) or 8B(3);]
- “periodic CPC” means a CPC within the meaning of Article 8 of the Directive (CPC certifying periodic training) ^{F18}reading that Article as if references to Member States and Member States' competent authorities are also references to the competent authority];
- “periodic training” means the training referred to in Article 3(1)(b) of the Directive ^{F19}reading that Article as if the requirement placed on Member States is also a requirement placed on the competent authority];
- “periodic training course” means a course of at least seven hours of periodic training within the meaning of Section 4 of Annex I to the Directive ^{F20}as if references to Member States in that Section were also references to the competent authority];
- ^{F21}“prison service”—
- (a) in relation to England and Wales means—
- (i) Her Majesty’s Prison Service; or

- (ii) any person acting under a contract for the running of a contracted out prison within the meaning of section 84 of the Criminal Justice Act 1991;
- (b) in relation to Northern Ireland means the Northern Ireland Prison Service; and
- (c) in relation to Scotland means—
 - (i) the Scottish Prison Service; or
 - (ii) any person acting under a contract for the running of a contracted out prison within the meaning of section 106 of the Criminal Justice and Public Order Act 1994;]

[^{F22}“relevant vehicle” means a vehicle for which is required a driving licence of category C, C+E, D or D+E as defined—

- (a) in relation to Great Britain, in Part 1 of Schedule 2 to the Driving Licences Regulations; and
- (b) in relation to Northern Ireland, in Part 1 of Schedule 1 of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996;

or a driving licence recognised as equivalent;.]

“reserve forces” has the same meaning as in section 1 of the Reserve Forces Act 1996 ^{M11};

“road” means any road open to the public;

“test pass certificate” in relation to Great Britain, has the same meaning as in regulation 3(1) of the Driving Licences Regulations [^{F23}and in relation to Northern Ireland, means the certificate referred to in regulation 37(1) of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996];

“third country” means a country which is not a member State [^{F24}or the United Kingdom];

[^{F25}“trainer” means a person who provides training or instruction in relation to the initial CPC test;]

“vehicle examiner” means an examiner appointed under section 66A of the 1988 Act ^{M12} or under Article 74 of the Road Traffic (Northern Ireland) Order 1995 ^{M13};

“work permit” has the same meaning as in section 33 of the Immigration Act 1971 ^{M14};

[^{F26}“working day” means—

- (a) in relation to Great Britain, save for the purposes of regulation 5(5B), (6ZA)(c), (6ZAD) and (6ZAE), a day other than a Saturday, Sunday, bank holiday, Christmas Day or Good Friday;
- (b) in relation to Northern Ireland, a day other than a Saturday, Sunday, bank holiday, Christmas Day or Easter Tuesday.]

(2) In these Regulations—

- (a) a reference to a member State includes a reference to an EEA State;

[^{F27}(b) save for the purposes of regulation 5A(2A), a reference to a category of relevant vehicle includes references to its sub-categories as defined—

- (i) in relation to Great Britain, in Part 1 of Schedule 2 to the Driving Licences Regulations; and
- (ii) in relation to Northern Ireland, in Part 1 of Schedule 1 to the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996.]

[^{F28}(3) In these Regulations—

“Swiss CPC” means a certificate or other document issued by Switzerland and recognised by the competent authority as equivalent to a CPC;

“Swiss initial CPC” means a Swiss CPC recognised by the competent authority as equivalent to an initial CPC;

“Swiss initial CPC test” means the tests which entitle a person to a Swiss initial CPC and are recognised by the competent authority as equivalent to an initial CPC test;

“Swiss licence” means a licence to drive a motor vehicle granted under the law of Switzerland;

“Swiss periodic CPC” means a Swiss CPC recognised by the competent authority as equivalent to a periodic CPC;

“Swiss periodic training” means the training which entitles a person to a Swiss periodic CPC and is recognised by the competent authority as equivalent to periodic training.

(4) In paragraph (3) and regulations 4(9A), 6(11)(e), 9(4A) and 11(2A), “recognised” means recognised by the competent authority for the purposes of the provision in question.

(5) The competent authority—

(a) must publish what is recognised under paragraph (4);

(b) may from time to time revise what is recognised under paragraph (4) and must publish the revised information accordingly.]

Textual Amendments

- F1** Words in reg. 2 substituted (26.9.2014) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2014 (S.I. 2014/2264), regs. 1, **3(a)**
- F2** Words in reg. 2(1) inserted (22.7.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020 (S.I. 2020/662), regs. 1, **2(2)(a)**
- F3** Words in reg. 2(1) omitted (25.1.2016) by virtue of The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2015 (S.I. 2015/2024), regs. 1, **3(1)(a)**
- F4** Words in reg. 2(1) inserted (21.4.2010) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2010 (S.I. 2010/865), regs. 1(1), **3(a)(i)**
- F5** Words in reg. 2(1) inserted (18.10.2011) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2011 (S.I. 2011/2324), regs. 1, **3(a)**
- F6** Words in reg. 2(1) omitted (22.7.2020) by virtue of The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020 (S.I. 2020/662), regs. 1, **2(2)(b)**
- F7** Words in reg. 2(1) inserted (31.12.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1004), regs. 1, **3(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in reg. 2 inserted (26.9.2014) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2014 (S.I. 2014/2264), regs. 1, **3(b)**
- F9** Words in reg. 2(1) substituted (31.12.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1004), regs. 1, **3(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in reg. 2(1) substituted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 87(a)**
- F11** Word in reg. 2(1) omitted (1.4.2013) by virtue of The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 87(b)**
- F12** Words in reg. 2(1) inserted (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 87(c)**
- F13** Words in reg. 2(1) inserted (18.10.2011) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2011 (S.I. 2011/2324), regs. 1, **3(b)**
- F14** Words in reg. 2(1) inserted (31.12.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1004), regs. 1, **3(c)**; 2020 c. 1, Sch. 5 para. 1(1)

- F15** Words in reg. 2(1) inserted (31.12.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1004), regs. 1, **3(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in reg. 2(1) inserted (22.7.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020 (S.I. 2020/662), regs. 1, **2(2)(c)**
- F17** Words in reg. 2(1) inserted (1.9.2008) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008 (S.I. 2008/1965), regs. 1(1), **4**
- F18** Words in reg. 2(1) inserted (31.12.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1004), regs. 1, **3(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in reg. 2(1) inserted (31.12.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1004), regs. 1, **3(f)**; 2020 c. 1, Sch. 5 para. 1(1)
- F20** Words in reg. 2(1) inserted (31.12.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1004), regs. 1, **3(fa)** (as inserted by S.I. 2020/662, regs. 1, **3(2)(a)(ii)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F21** Words in reg. 2(1) inserted (25.1.2016) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2015 (S.I. 2015/2024), regs. 1, **3(1)(b)**
- F22** Words in reg. 2(1) substituted (25.1.2016) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2015 (S.I. 2015/2024), regs. 1, **3(1)(c)**
- F23** Words in reg. 2(1) added (21.4.2010) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2010 (S.I. 2010/865), regs. 1(1), **3(a)(ii)**
- F24** Words in reg. 2(1) inserted (31.12.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1004), regs. 1, **3(g)**; 2020 c. 1, Sch. 5 para. 1(1)
- F25** Words in reg. 2(1) inserted (21.4.2010) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2010 (S.I. 2010/865), regs. 1(1), **3(a)(iii)**
- F26** Words in reg. 2(1) inserted (21.4.2010) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2010 (S.I. 2010/865), regs. 1(1), **3(a)(iv)**
- F27** Reg. 2(2)(b) substituted (25.1.2016) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2015 (S.I. 2015/2024), regs. 1, **3(2)**
- F28** Reg. 2(3)-(5) inserted (22.7.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020 (S.I. 2020/662), regs. 1, **2(3)**

Marginal Citations

- M5** S.I. 1981 No. 154 (N.I.1).
- M6** S.I. 1999/2864.
- M7** In section 108, the definition of “Community licence” was amended by S.I. 1996/1974.
- M8** In section 108, the definition of “full licence” was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c.22), **section 7** and Schedule 13, paragraph 15(c).
- M9** 2004 c.21; section 1 was amended by the Civil Contingencies Act 2004(c.36), section 7 and Schedule 2, Part 1, paragraph 10(1) and (2).
- M10** S.I. 1984 No 1921 (N.I. 11).
- M11** 1996 c.14.
- M12** Section 66A was inserted by the Road Traffic Act 1991 (c. 40), section 9(1) and amended by the Goods Vehicles (Licensing of Operators) Act 1995 (c.23), **section 60(1)** and Schedule 7, paragraph 11.
- M13** S.I. 1995/2994 (N.I. 18).
- M14** 1971 c.77; the definition of “work permit” was amended by the British Nationality Act 1981 (c. 6), **Schedule 4, paragraph 7**. There are other amendments to section 33 which are not relevant to these Regulations.

Persons to whom these Regulations apply

3.—(1) These Regulations apply to any person who drives a relevant vehicle, other than a vehicle to which paragraph (2) applies, on a road and is —

- [^{F29}(za) a national of the United Kingdom;
- (zb) a national of a third country employed or used by an undertaking established in the United Kingdom;]
- (a) a national of a member State; or
- (b) a national of a third country employed or used by an undertaking established in a member State.

(2) This paragraph applies to a vehicle—

- (a) which it is an offence for that person to drive on any road at a speed greater than 45 kilometres per hour in Great Britain under section 89 of the Road Traffic Regulation Act 1984 ^{M15} or in Northern Ireland under the Motor Vehicles (Speed Limits) Regulations (Northern Ireland) 1989 ^{M16};
- (b) which is being used by, or is under the control of any of the following —
 - (i) the armed forces;
 - (ii) a police force;
 - (iii) a local authority in the discharge of any function conferred on or exercisable by that authority under an order made under section 5 of the Civil Contingencies Act 2004 ^{M17} or regulations made under section 20 of that Act, ^{F30} ...
 - (iv) a fire and rescue authority; ^{F31} ...
- [^{F32}(v) the prison service [^{F33}; or
- (vi) an NHS ambulance service;
- when the vehicle is being used as a consequence of a task assigned to an authority, force or service specified in this sub-paragraph];]

[^{F34}(c) which—

- (i) is undergoing road tests for technical development, repair or maintenance purposes;
- (ii) is being used for the purpose of submitting it (by previous arrangement for a specified time on a specified date) for a relevant test, or of bringing it away from such a test; or
- (iii) is a new or rebuilt vehicle which has not yet been put into service;]
- (d) which is being used in a state of emergency or is assigned to a rescue mission [^{F35}, including the non-commercial transport of humanitarian aid];
- [^{F36}(e) which is being used in the course of a driving lesson, a driving test, or additional driving training during work-based learning, for the purpose of enabling that person to obtain a driving licence or a CPC, provided—
 - (i) it is not also being used for the commercial carriage of goods or passengers; and
 - (ii) in the case of additional driving training during work-based learning, the driver is accompanied by a person who is a qualified driver of that vehicle for the purposes of regulation 16 of the Motor Vehicles (Driving Licences) Regulations 1999 or, in Northern Ireland, regulation 12 of the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1996;]
- (f) which is being used for the non-commercial carriage of passengers or goods ^{F37} ...;

- (g) which is carrying material or equipment [^{F38}, including machinery,] to be used by that person in the course of his work, provided that driving that vehicle is not his principal activity [^{F39};
- (h) to which sub-paragraphs (a) to (g) do not apply, but which satisfies all of the conditions in paragraph (3) [^{F40} or (3A)]].
- [^{F41}(3) The conditions referred to in paragraph (2)(h) are that—
- (a) the vehicle is being driven by a person whose principal activity in the course of his work is not driving relevant vehicles;
- (b) the vehicle is being driven within a [^{F42}100] kilometre radius of the driver’s base;
- (c) the driver is the only person being carried on the vehicle;
- (d) in so far as the vehicle may be carrying goods or burden, the goods or burden must only be equipment, including machinery, that is permanently fixed to the vehicle.
- [
- [^{F43}(3A) The conditions referred to in paragraph (2)(h) are that the vehicle is being—
- (a) used by an agricultural, horticultural, forestry, farming or fishery undertaking;
- (b) used only for carrying goods in the course of that undertaking’s business;
- (c) driven by a person whose principal activity in the course of their work is not driving relevant vehicles.]
- (4) In this regulation—
- “driver’s base” means the address at which the driver came on duty immediately following the last period during which he was off-duty for not less than nine hours;
- “relevant test” means an inspection or test for the purposes of technical development, repair or maintenance carried out—
- (a) in Great Britain, by a vehicle examiner; or
- (b) in Northern Ireland, at a vehicle testing centre provided or maintained by the Department of the Environment for Northern Ireland under Article 73 of the Road Traffic (Northern Ireland) Order 1995.]

Textual Amendments

- F29** Reg. 3(1)(za)(zb) inserted (31.12.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(EU Exit\) Regulations 2018](#) (S.I. 2018/1004), regs. 1, 4; 2020 c. 1, Sch. 5 para. 1(1)
- F30** Word in reg. 3(2)(b)(iii) omitted (25.1.2016) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2015](#) (S.I. 2015/2024), regs. 1, **4(2)(a)**
- F31** Word in reg. 3(2)(b)(iv) omitted (22.7.2020) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020](#) (S.I. 2020/662), regs. 1, **2(4)(a)(i)**
- F32** Reg. 3(2)(b)(v) inserted (25.1.2016) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2015](#) (S.I. 2015/2024), regs. 1, **4(2)(c)**
- F33** Reg. 3(2)(b)(vi) and word inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020](#) (S.I. 2020/662), regs. 1, **2(4)(a)(ii)**
- F34** Reg. 3(2)(c) substituted (13.11.2013) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2013](#) (S.I. 2013/2667), regs. 1, **2(2)**
- F35** Words in reg. 3(2)(d) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020](#) (S.I. 2020/662), regs. 1, **2(4)(b)**
- F36** Reg. 3(2)(e) substituted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020](#) (S.I. 2020/662), regs. 1, **2(4)(c)**

- F37** Words in reg. 3(2)(f) omitted (22.7.2020) by virtue of The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020 (S.I. 2020/662), regs. 1, **2(4)(d)**
- F38** Words in reg. 3(2)(g) inserted (22.7.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020 (S.I. 2020/662), regs. 1, **2(4)(e)**
- F39** Reg. 3(2)(h) inserted (13.11.2013) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2013 (S.I. 2013/2667), regs. 1, **2(3)**
- F40** Words in reg. 3(2)(h) inserted (22.7.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020 (S.I. 2020/662), regs. 1, **2(4)(f)**
- F41** Reg. 3(3)(4) added (13.11.2013) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2013 (S.I. 2013/2667), regs. 1, **2(4)**
- F42** Word in reg. 3(3)(b) substituted (25.1.2016) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2015 (S.I. 2015/2024), regs. 1, **4(3)**
- F43** Reg. 3(3A) inserted (22.7.2020) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020 (S.I. 2020/662), regs. 1, **2(4)(g)**

Marginal Citations

- M15** 1984 c.27.
M16 S.R. 1989 No. 203.
M17 2004 c.36.

Persons who must take initial CPC test

4.—(1) Except where paragraph (5) [^{F44}, (9) or (9A)] applies and subject to paragraph (7), a person to whom these Regulations apply is not permitted to drive a relevant vehicle on a road on or after the date specified in paragraph (3) unless he has successfully completed the appropriate initial CPC test [^{F45} or Swiss initial CPC test].

(2) For the purposes of this regulation—

- (a) the appropriate initial CPC test [^{F46} or Swiss initial CPC test] is the test relating to vehicles of the category into which that particular relevant vehicle falls;
- (b) where Article 5(5) of the Directive applies, the appropriate initial CPC test must comply with the last paragraph of Section 2.2 of Annex I to the Directive.

(3) The specified date is 10th September 2008 in respect of vehicles in licence category D or D +E and 10th September 2009 in respect of vehicles in licence category C or C+E.

(4) A person may take the initial CPC test whether or not he has been granted a driving licence for a relevant vehicle.

(5) This paragraph applies where—

- (a) a person is undergoing a vocational training course leading to a professional qualification relevant to the carriage by road of passengers or goods (or both) and which is approved by the competent authority as a course to which this paragraph applies;
- (b) that course lasts at least six months;
- (c) that person has produced to the competent authority's satisfaction such evidence as that authority may reasonably require that he is undergoing such a course;
- (d) the competent authority has issued that person with a document authorising him to drive that relevant vehicle for a specified period of up to 12 months while undertaking such a course; and
- (e) that person is driving within the United Kingdom.

[^{F47}(5A) A person who wishes the competent authority to issue an NVT certificate to him under paragraph (5)(d) must make a written application to the competent authority and pay to it a fee of £25.

(5B) The competent authority may waive in whole or in part the fee payable under paragraph (5A).]

(6) The competent authority may authorise a person under paragraph (5)(d) in respect of only one specified period.

(7) A person is not required to take an initial CPC test relating to vehicles of the category into which that particular relevant vehicle falls if he holds a document described in paragraph (8) —

- (a) on 10th September 2008, if that vehicle falls into category D or D+E;
- (b) on 10th September 2009, if that vehicle falls into category C or C+E.

(8) That document may be —

- (a) a current driving licence;
- (b) a current driving licence issued by a member State^{F48} ...;
- (c) a current driving licence recognised as equivalent to a document described in sub-paragraph (a) or (b); or
- (d) a current test pass certificate entitling its holder to a driving licence authorising the driving of any relevant vehicle.

(9) This paragraph applies where a person holds a CPC certifying an initial qualification within the meaning of Article 6(1)(a) of the Directive (CPC awarded on the basis of course attendance and a test).

[^{F49}(9A) This paragraph applies where a person holds a Swiss initial CPC certifying a qualification which is recognised by the competent authority as equivalent to the qualification referred to in paragraph (9).]

(10) A person who has passed the initial CPC test [^{F50}or Swiss initial CPC test] in respect of a vehicle which falls within—

- (a) category C or C+E, or
- (b) category D or D+E,

need not take another initial CPC test [^{F50}or Swiss initial CPC test] to drive any relevant vehicle that falls within the other category referred to in the same sub-paragraph.

Textual Amendments

- F44** Words in reg. 4(1) substituted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(5)(a)(i)**
- F45** Words in reg. 4(1) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(5)(a)(ii)**
- F46** Words in reg. 4(2)(a) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(5)(b)**
- F47** Reg. 4(5A)(5B) inserted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **5**
- F48** Words in reg. 4(8)(b) omitted (31.12.2020) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1004\)](#), regs. 1, **5**; 2020 c. 1, Sch. 5 para. 1(1)
- F49** Reg. 4(9A) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(5)(c)**
- F50** Words in reg. 4(10) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(5)(d)**

Initial CPC test

5.—(1) The initial CPC test may be organised by the competent authority or by a person approved by it.

(2) The competent authority may grant approval under paragraph (1) subject to such conditions as it thinks fit and provided it is satisfied that the person will —

- (a) make proper arrangements for the conduct of tests,
- (b) keep proper records of such tests and their results, and
- (c) notify the competent authority of those results as required by that authority.

[^{F51}(2A) The competent authority may vary any conditions imposed under paragraph (2) by notice in writing to the person to whom the approval was given.]

(3) The competent authority may withdraw approval given by it under paragraph (1) by notice in writing to that person from a date specified in the notice.

(4) A person to whom these Regulations apply may take the initial CPC test under this regulation if that person —

[^{F52}(za) is a national of the United Kingdom,]

- (a) is a national of a member State and normally resident in the United Kingdom, or
- (b) is a national of a third country, and —
 - (i) employed or used by an undertaking established in the United Kingdom, or
 - (ii) has been issued with a work permit in the United Kingdom.

(5) The competent authority or person who organises the initial CPC test may make arrangements that all or part of that test is taken at the same time as all or part of a driving test.

[^{F53}(5A) A person must pass the theoretical test referred to in the table [^{F54}in paragraph (11)] before [^{F55}applying to take] the practical test referred to there and must pass the practical test not more than 24 months after passing the theoretical test.]

[^{F56}(5B) Where a person has failed to pass the theoretical test or the practical test (both as referred to in the table [^{F57}in paragraph (11)]), no application may be made by, or in respect of, that person for a test of the same part to be conducted on a day which falls before the expiry of a period of three clear working days commencing with the day after that on which that part of the test was failed.]

[^{F58}(6) Subject to paragraph (6ZA), where an initial CPC test is organised by a competent authority, the candidate shall pay to the competent authority [^{F59}the fee determined in accordance with paragraph (11)] for the part of the test for which an application for an appointment is made.]

[^{F60}(6ZA) A trainer may, in respect of a candidate who has received, or will receive, from that trainer, training or instruction in Great Britain in relation to the initial CPC test, apply for an appointment in Great Britain for any part of a test referred to in the table [^{F61}in paragraph (11)] if the trainer—

- (a) pays to the Secretary of State [^{F62}the fee determined in accordance with paragraph (11)] for that part of the test;
- (b) provides such details relating to the trainer's business in Great Britain, the appointment sought or the vehicle on which the test is to be taken as the Secretary of State may reasonably require; and
- (c) undertakes to provide the relevant details relating to the candidate no later than 1600 hours on the day before the last clear working day before the day for which the appointment is made.

(6ZAB) An application under paragraph (6ZA) may be refused where the appointment specified in that application is unavailable or where, in the opinion of the Secretary of State, it is reasonably necessary to do so in the general interests of candidates in Great Britain.

(6ZAC) Where an appointment (“the booked appointment”) for part of a test has been made by or on behalf of a candidate in respect of a particular category of relevant vehicle, no application for a further appointment shall be made for that candidate in relation to that part of the test in respect of that category of relevant vehicle unless—

- (a) the booked appointment has been cancelled;
- (b) the part of the test due to take place on the day of the booked appointment does not otherwise take place; or
- (c) subject to paragraph (5B), the candidate fails to pass the test.

(6ZAD) A fee paid pursuant to paragraph (6) may be repaid if notice to cancel the appointment for the part of the test is given to the competent authority not less than three clear working days before the date of the appointment for that part of the test.

(6ZAE) A fee paid pursuant to paragraph (6ZA) may be repaid if notice to cancel the appointment for the part of the test is given to the Secretary of State not less than three clear working days before the date of the appointment for that part of the test.]

[^{F63}(6A) A person approved under paragraph (1) must, in respect of each test which that person is to conduct, pay to the competent authority a fee determined in accordance with paragraph (6AA).]

[^{F63}(6AA) The amount of the fee under paragraph (6A) is—

- (a) for a practical test, £41; and
- (b) for a theoretical test—
 - (i) £30 if the test is to be conducted before 1st October 2014;
 - (ii) £27 if the test is to be conducted during the period beginning with 1st October 2014 and ending on 30th September 2015;
 - (iii) £26 if the test is to be conducted on or after 1st October 2015.]

[^{F64}(6ZB) A fee paid pursuant to paragraph (6A) in respect of the practical test may be repaid if the person approved under paragraph (1) gives notice to the competent authority that the appointment for the conduct of that part of the test has been cancelled and the notice was given to the competent authority at any time before the time of the appointment.]

[^{F65}(6B) The competent authority may waive in whole or in part the fee payable under paragraph (6) or (6A).]

(7) [^{F66}The sums referred to in paragraphs (6) and (6A)] shall be payable in addition to any fee that is payable in respect of a driving test all or part of which is taken at the same time as the initial CPC test.

[^{F67}(8) For the purposes of this regulation, a test commences during normal hours if the time for which the test appointment is made is at or after 0830 hours but not after 1630 hours on a working day.]

[^{F68}(9) In paragraphs (5B), (6ZA)(c), (6ZAD) and (6ZAE), “working day” means, in Great Britain, a day other than a Sunday, bank holiday, Christmas Day or Good Friday.]

[^{F69}(10) In paragraph (6ZA) “relevant details”, in relation to a candidate, means the name and such further details relating to—

- (a) that candidate,
- (b) the licence that candidate holds,

- (c) the nature of the test, and
 (d) the vehicle on which the test is to be taken,]
- [^{F70}(11) For the part of the test—
- (a) specified in column (2) of an item in the table;
 (b) to be commenced at the time of day (if any) specified in column (2); and
 (c) to be conducted at the time specified in column (3),
- the fee payable under paragraph (6) or (6ZA) is the amount specified in column (4).

Table

<i>(1)</i> <i>Item</i>	<i>(2)</i> <i>Part of test</i>	<i>(3)</i> <i>Time to be conducted</i>	<i>(4)</i> <i>Fee £</i>
1.	Theoretical test	Before 1st October 2014	30
2.	Theoretical test	During the period beginning with 1st October 2014 and ending on 30th September 2015	24
3.	Theoretical test	On or after 1st October 2015	23
4.	Practical test commencing during normal hours	Any time	55
5.	Practical test not commencing during normal hours	Any time	63]

Textual Amendments

- F51** Reg. 5(2A) added (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **6(a)**
- F52** Reg. 5(4)(za) inserted (31.12.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1004\)](#), regs. 1, **6**; 2020 c. 1, Sch. 5 para. 1(1)
- F53** Reg. 5(5A) added (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **6(b)**
- F54** Words in reg. 5(5A) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **4(2)**
- F55** Words in reg. 5(5A) substituted (21.4.2010) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2010 \(S.I. 2010/865\)](#), regs. 1(1), **4(a)**
- F56** Reg. 5(5B) inserted (21.4.2010) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2010 \(S.I. 2010/865\)](#), regs. 1(1), **4(b)**
- F57** Words in reg. 5(5B) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **4(3)**
- F58** Reg. 5(6) substituted (21.4.2010) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2010 \(S.I. 2010/865\)](#), regs. 1(1), **4(c)**
- F59** Words in reg. 5(6) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **4(4)**
- F60** Reg. 5(6ZA)-(6ZAE) inserted (21.4.2010) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2010 \(S.I. 2010/865\)](#), regs. 1(1), **4(d)**
- F61** Words in reg. 5(6ZA) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **4(5)(a)**

- F62** Words in reg. 5(6ZA) substituted (20.8.2014) by The Driving Theory Test Fees (Various Amendments) Regulations 2014 (S.I. 2014/1816), regs. 1, **4(5)(b)**
- F63** Reg. 5(6A)(6AA) substituted for reg. 5(6A) (20.8.2014) by The Driving Theory Test Fees (Various Amendments) Regulations 2014 (S.I. 2014/1816), regs. 1, **4(6)**
- F64** Reg. 5(6ZB) inserted (21.4.2010) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2010 (S.I. 2010/865), regs. 1(1), **4(f)**
- F65** Reg. 5(6A)(6B) inserted (1.9.2008) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008 (S.I. 2008/1965), regs. 1(1), **6(d)**
- F66** Words in reg. 5(7) substituted (1.9.2008) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008 (S.I. 2008/1965), regs. 1(1), **6(e)**
- F67** Reg. 5(8)(9) inserted (1.9.2008) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008 (S.I. 2008/1965), regs. 1(1), **6(f)**
- F68** Reg. 5(9) substituted (21.4.2010) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2010 (S.I. 2010/865), regs. 1(1), **4(g)**
- F69** Reg. 5(10) added (21.4.2010) by The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2010 (S.I. 2010/865), regs. 1(1), **4(h)**
- F70** Reg. 5(11) substituted for table (20.8.2014) by The Driving Theory Test Fees (Various Amendments) Regulations 2014 (S.I. 2014/1816), regs. 1, **4(7)**

[^{F71}Further requirements at tests: initial CPC test

5A.—(1) A person submitting himself for either the theoretical test or the practical test shall before the test commences—

- (a) produce to the person conducting the test an appropriate licence authorising him to drive a motor vehicle of a class included in the category in respect of which the test is to be taken ^{F72} ...

[produce to the person conducting the test their Northern Ireland counterpart, where that ^{F73}(aa) person has a Northern Ireland counterpart, if the test is taking place in Northern Ireland; and]

- (b) except where he has produced an appropriate licence containing his photograph, satisfy the person conducting the test as to his identity in accordance with paragraph (3).

(2) A person submitting himself for either the theoretical test or the practical test who produces a licence which fails to satisfy the person conducting the test, after an examination or otherwise, that it is an appropriate licence as required under paragraph (1) must surrender the licence forthwith to the person conducting the test.

[^{F74}(2A) For the purposes of the conduct of the practical test referred to in the table in [^{F75}regulation 5(11)] the candidate shall provide a relevant vehicle which falls within a category or sub-category shown in column (1) of [^{F76}Table 1 in regulation 37] of the Driving Licences Regulations and which—

- (a) has a power, mass, size or other specification equivalent to or greater than that shown in column (2) of [^{F77}Table 1 in that regulation 37] in respect of the category or sub-category within which the vehicle falls;

[^{F78}(ab) may, during the period beginning with 15th August 2013 and ending with 14th November 2013, where the relevant vehicle provided is one which falls within a category or sub-category and description shown in column 1 of Table 2 in that regulation 37, carry a load of the nature and weight specified in column 2 in respect of the category or sub-category and description within which the vehicle falls;

- (ac) shall, on or after 15th November 2013, where the relevant vehicle provided is one which falls within a category or sub-category and description shown in column 1 of Table 2 in that regulation 37, carry a load of the nature and weight specified in column 2 in respect of category or sub-category and description within which the vehicle falls;]
- (b) is reasonably representative of the category or sub-category to which it belongs and is otherwise suitable for the purposes of the test;
- (c) complies with each requirement specified in column (1) of the following table where the vehicle is one which falls within the category or sub-category specified in relation to that requirement in column (2) of the table.

Table

<i>(1) Requirement</i>	<i>(2) Category or sub-category of vehicle</i>
[^{F79} The vehicle shall not be carrying goods or burden other than either or both of the following—	C1, C1+E, C, C+E, D1, D1+E, D, D+E
(a) any load carried in accordance with regulation 37(7A) of the Driving Licences Regulations for that category or sub-category and description of vehicle;	
(b) any fixed items which are characteristic of the category or sub-category to which it belongs.]	
The vehicle shall be fitted with linkage and braking mechanisms which are designed for use when the trailer is fully laden	C1+E, C+E, D1+E, D+E
The vehicle shall be fitted with an anti-lock braking system and a tachograph	C1, C1+E, C, C+E, D1, D1+E, D, D+E
^{F80}	^{F80}
...	...]

(3) For the purposes of this regulation, a person conducting a test may be satisfied as to a person’s identity from a valid passport [^{F81}or a valid driver card][^{F82}or a valid identity card issued under the Identity Cards Act 2006].

(4) In this regulation, “appropriate licence” means a licence authorising the person submitting himself for the test to drive a motor vehicle of a class included in the category in respect of which the test is to be taken which—

- (a) is either—
 - (i) a driving licence;
 - (ii) a provisional licence within the meaning of section 108(1) of the 1988 Act or article 19D(1) of the 1981 Order; ^{F83}...
 - (iii) a Community licence;
 - [a British external licence; ^{F85}...
 - ^{F84}(iv)
 - (v) a Gibraltar licence [^{F86}; or

- (vi) a Swiss licence].]
- (b) is valid at the date of the test; and
- (c) bears the signature of the person who has submitted himself for the test.]

Textual Amendments

- F71** Reg. 5A inserted (1.9.2008) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008* (S.I. 2008/1965), regs. 1(1), **7**
- F72** Words in reg. 5A(1)(a) omitted (8.6.2015) by virtue of *The Road Safety Act 2006 (Consequential Amendments) Order 2015* (S.I. 2015/583), art. 1(1), **Sch. 2 para. 13(a)**
- F73** Reg. 5A(1)(aa) inserted (8.6.2015) by *The Road Safety Act 2006 (Consequential Amendments) Order 2015* (S.I. 2015/583), art. 1(1), **Sch. 2 para. 13(b)**
- F74** Reg. 5A(2A) inserted (21.4.2010) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2010* (S.I. 2010/865), regs. 1(1), **5**
- F75** Words in reg. 5A(2A) substituted (20.8.2014) by *The Driving Theory Test Fees (Various Amendments) Regulations 2014* (S.I. 2014/1816), regs. 1, **5**
- F76** Words in reg. 5A(2A) substituted (15.8.2013) by *The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013* (S.I. 2013/1753), regs. 1(1), **3(2)**
- F77** Words in reg. 5A(2A)(a) substituted (15.8.2013) by *The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013* (S.I. 2013/1753), regs. 1(1), **3(3)**
- F78** Reg. 5A(2A)(ab)(ac) inserted (15.8.2013) by *The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013* (S.I. 2013/1753), regs. 1(1), **3(4)**
- F79** Words in reg. 5A(2A)(c) table substituted (15.8.2013) by *The Motor Vehicles (Driver Testing and Vehicle Load) Regulations 2013* (S.I. 2013/1753), regs. 1(1), **3(5)**
- F80** Words in reg. 5A(2)(c) omitted (25.1.2016) by virtue of *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2015* (S.I. 2015/2024), regs. 1, **5**
- F81** Words in reg. 5A(3) inserted (26.9.2014) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2014* (S.I. 2014/2264), regs. 1, **4**
- F82** Words in reg. 5A(3) inserted (27.4.2010) by *The Vehicles Regulations (Amendment) Order 2010* (S.I. 2010/1111), arts. 1(1), **4**
- F83** Word in reg. 5A(4)(a)(ii) omitted (18.10.2011) by virtue of *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2011* (S.I. 2011/2324), regs. 1, **4(a)**
- F84** Reg. 5A(4)(a)(iv)(v) inserted (18.10.2011) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2011* (S.I. 2011/2324), regs. 1, **4(b)**
- F85** Word in reg. 5A(4)(a)(iv) omitted (22.7.2020) by virtue of *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020* (S.I. 2020/662), regs. 1, **2(6)(a)**
- F86** Reg. 5A(4)(a)(vi) and word inserted (22.7.2020) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020* (S.I. 2020/662), regs. 1, **2(6)(b)**

^{F87} Examiner's right to refuse to conduct test

- 5B.**—(1) The examiner must refuse to conduct—
- (a) the practical test where—
 - (i) the vehicle submitted for that purpose does not fall within the category in respect of which the theoretical test referred to in regulation 5(5A) was passed; or
 - (ii) the candidate fails to comply with regulation 5A(2A);
 - (b) the theoretical test or the practical test where the candidate—
 - (i) fails to comply with regulation 5A(1); or

- (ii) appears to the examiner to be someone other than the person whose details were provided pursuant to an undertaking under regulation 5(6ZA)(c).
- (2) The examiner may refuse to conduct the theoretical test or the practical test where a trainer has failed to comply with an undertaking given under regulation 5(6ZA)(c).
- (3) Any fee paid pursuant to regulation 5(6) or (6ZA)(a) may be repaid where—
- (a) the examiner refused to conduct the test under paragraph (1)(b)(i) because the candidate did not satisfy the examiner as to the candidate's identity in accordance with regulation 5A(3) and the candidate subsequently satisfies the competent authority as to the candidate's identity;
 - (b) the examiner refused to conduct the test under paragraph (1)(b)(ii) and the candidate subsequently appears to the examiner to be the person whose details were provided pursuant to an undertaking under regulation 5(6ZA)(c).
- (4) In this regulation—
- “examiner” means the person approved under regulation 5(1), the person conducting the test on behalf of the person so approved or the person conducting the test on behalf of the competent authority;
- “practical test” means the test of that name referred to in the table in [^{F88}regulation 5(11)]; and
- “theoretical test” means the test of that name referred to in the table in [^{F88}regulation 5(11)].

Textual Amendments

- F87** Reg. 5B inserted (21.4.2010) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2010 \(S.I. 2010/865\)](#), regs. 1(1), 6
- F88** Words in reg. 5B(4) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, 6

Persons providing periodic training courses

6.—(1) A person who wishes to provide periodic training courses must make a written application to the competent authority and shall pay to it a fee of—

- (a) £1,500, and
- [^{F89}(b) for each course which he proposes to provide, a sum equal to £36 multiplied by the proposed duration of the course in hours and for this purpose part of an hour shall be treated as one hour.]

[^{F90}(1A) The competent authority may waive the fee in paragraph (1) or (8) in whole or part if it thinks fit.]

(2) Such application must be accompanied by the documents specified in Section 5.1 of Annex I to the Directive and such other documents as the competent authority may reasonably require.

(3) The competent authority may approve in writing —

- (a) that person to provide periodic training courses subject to the conditions specified in Section 5.2 of Annex I to the Directive, including the last two paragraphs of that Section; and
- (b) each periodic training course which that person wishes to provide.

(4) The competent authority's approval shall be valid for —

- (a) five years under paragraph (3)(a), and

(b) one year under paragraph (3)(b).

[^{F91}(5) Where it appears to the competent authority that—

- (a) any conditions of an approval given under paragraph (3)(a) are not being complied with; or
- (b) an approval under paragraph (3)(a) or (b) or (9) was given in error,

the competent authority may send notice to the person to whom the approval was given that it is minded to withdraw or suspend its approval.]

(6) Upon receiving a notice under paragraph (5), that person may make representations to the competent authority within 28 days.

(7) The competent authority shall take those representations into account and send notice to the person informing him whether or not its approval is withdrawn or suspended.

(8) A person approved under paragraph (3)(a) who wishes to provide a training course which has not been approved by the competent authority may at any time request that authority's approval for that course and shall pay to that authority [^{F92}the fee prescribed in paragraph (1)(b)].

(9) If the competent authority gives approval in response to a request under paragraph (8), that approval shall be valid for one year.

[^{F93}(10) A person to whom these Regulations apply may take a periodic training course approved under this regulation if that person is—

[^{F94}(za) a national of the United Kingdom;]

- (a) a national of a member State and normally resident in the United Kingdom;
- (b) a national of a member State and works in the United Kingdom, or
- (c) a national of a third country and authorised to work in the United Kingdom.]

[^{F95}(11) A person conducting a periodic training course must be satisfied as to the identity of the person taking the course before the course commences from—

- (a) an appropriate licence as defined in regulation 5A(4);
- (b) a valid passport;
- (c) a valid driver card; ^{F96}...
- (d) a valid driver qualification card [^{F97}; or
- (e) a valid Swiss CPC containing a photograph of its holder and recognised by the competent authority as a valid form of identification for the purposes of this regulation].]

Textual Amendments

F89 Reg. 6(1)(b) substituted (1.4.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2008 \(S.I. 2008/506\)](#), regs. 1, **2(2)**

F90 Reg. 6(1A) added (1.4.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2008 \(S.I. 2008/506\)](#), regs. 1, **2(3)**

F91 Reg. 6(5) substituted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **8(a)**

F92 Words in reg. 6(8) substituted (1.4.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2008 \(S.I. 2008/506\)](#), regs. 1, **2(4)**

F93 Reg. 6(10) substituted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **8(b)**

F94 Reg. 6(10)(za) inserted (31.12.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1004\)](#), regs. 1, 7; 2020 c. 1, Sch. 5 para. 1(1)

- F95** Reg. 6(11) substituted (26.9.2014) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2014* (S.I. 2014/2264), regs. 1, **5**
- F96** Word in reg. 6(11)(c) omitted (22.7.2020) by virtue of *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020* (S.I. 2020/662), regs. 1, **2(7)(a)**
- F97** Reg. 6(11)(e) and word inserted (22.7.2020) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020* (S.I. 2020/662), regs. 1, **2(7)(b)**

[^{F98}[^{F99}Appeals in relation to Great Britain]

6A.—(1) A person who is aggrieved by a decision of the competent authority [^{F100}in relation to Great Britain]—

- (a) not to approve a person to provide periodic training courses under regulation 6(3)(a) (persons providing periodic training courses);
- (b) not to approve a periodic training course which a person wishes to provide under regulation 6(3)(b);
- (c) to withdraw an approval under regulation 6(7);
- (d) to suspend an approval under regulation 6(7); or
- (e) not to approve a training course under regulation 6(9),

may [^{F101}appeal to the First-tier Tribunal].

(2) On the appeal the [^{F102}First-tier Tribunal] may make such order for the grant or refusal of approval for the person or course or for the withdrawal, suspension or continuation of an approval (as the case may be) as [^{F103}it thinks] fit.

(3) An order on an appeal under paragraph (1)(a) or (c) may direct that an application by the appellant for an approval to provide periodic training courses under regulation 6(3)(a) shall not be entertained before the expiration of such period, not exceeding four years, beginning with the day on which the order is made, as may be specified in the order.

(4) If the Tribunal considers that any evidence adduced on an appeal has not been adduced to the competent authority before it gave the decision to which the appeal relates, the Tribunal may (instead of making the order under paragraph (2)) remit the matter to the competent authority for it to reconsider the decision.]

Textual Amendments

- F98** Reg. 6A inserted (1.9.2008) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008* (S.I. 2008/1965), regs. 1(1), **9**
- F99** Reg. 6A heading substituted (26.9.2014) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2014* (S.I. 2014/2264), regs. 1, **6(a)**
- F100** Words in reg. 6A(1) inserted (26.9.2014) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2014* (S.I. 2014/2264), regs. 1, **6(b)**
- F101** Words in reg. 6A(1) substituted (1.9.2009) by *The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009* (S.I. 2009/1885), art. 1(1), **Sch. 2 para. 11(a)** (with Sch. 4)
- F102** Words in reg. 6A(2) substituted (1.9.2009) by *The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009* (S.I. 2009/1885), art. 1(1), **Sch. 2 para. 11(b)(i)** (with Sch. 4)
- F103** Words in reg. 6A(2) substituted (1.9.2009) by *The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009* (S.I. 2009/1885), art. 1(1), **Sch. 2 para. 11(b)(ii)** (with Sch. 4)

[^{F104}Review and Appeal of decisions in relation to Northern Ireland

6B.—(1) A person who is aggrieved by a decision of the competent authority in relation to Northern Ireland—

- (a) not to approve a person to provide periodic training courses under regulation 6(3)(a);
- (b) not to approve a periodic training course which a person wishes to provide under regulation 6(3)(b);
- (c) to withdraw or suspend an approval under regulation 6(7); or
- (d) not to approve a training course under regulation 6(9),

may by notice in writing to that competent authority apply for a review of the decision within 28 days of the date on which notice of the decision was sent.

(2) Following a review under paragraph (1) the competent authority may grant, refuse, withdraw, suspend or continue an approval (as the case may be) as it thinks fit.

(3) The competent authority must, within 56 days beginning with the day on which the application for review was made, give notice in writing of the review decision to the aggrieved person setting out the particulars of the reasons for its decision.

(4) A person who is aggrieved by a review decision may appeal to a court of summary jurisdiction.]

Textual Amendments

F104 Reg. 6B inserted (26.9.2014) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2014 \(S.I. 2014/2264\)](#), regs. 1, 7

Record of periodic training by competent authority

7.—(1) A person approved by the competent authority under regulation 6(3)(a) shall —

- (a) notify that authority each time a person to whom he has provided training has completed a periodic training course; and
- (b) pay to the authority ^{F105}... upon each notification [^{F106}a fee equal to the sum of £1.25 multiplied by the duration of the course in hours and for this purpose part of an hour shall be treated as an hour].

(2) The competent authority may waive in whole or in part the fee payable under paragraph (1).

(3) The competent authority shall maintain a record of the periodic training notified to it under paragraph (1).

Textual Amendments

F105 Words in reg. 7(1)(b) omitted (1.9.2008) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), 10

F106 Words in reg. 7(1)(b) added (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), 10

Driver Qualification Card

8.—[^{F107}(1) The competent authority shall issue a driver qualification card to a person to whom this regulation applies if—

- (a) it is satisfied that that person has passed the initial CPC test in accordance with regulation 5(1); or
- (b) (i) it is satisfied that that person has completed 35 hours of periodic training entitling him to a periodic CPC; and
 - (ii) the completion of that training has been notified to a competent authority under regulation 7(1).]

F108(2)

F108(3)

F109(4)

F110(5)

F110(6)

F110(7)

[F111(8) This regulation applies to a person who—

- (a) [is a national of the United Kingdom;]
 - F112(zi)
 - (i) is a national of a member State and normally resident in the United Kingdom;
 - (ii) is a national of a member State and works in the United Kingdom; or
 - (iii) is a national of a third country and authorised to work in the United Kingdom; and
- (b) holds a driving licence in the form of a photocard.]

Textual Amendments

F107 Reg. 8(1) substituted (1.9.2008) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008* (S.I. 2008/1965), regs. 1(1), **11(a)**

F108 Reg. 8(2)(3) omitted (1.9.2008) by virtue of *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008* (S.I. 2008/1965), regs. 1(1), **11(b)**

F109 Reg. 8(4) omitted (31.12.2020) by virtue of *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018* (S.I. 2018/1004), regs. 1, **8(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F110 Reg. 8(5)-(7) omitted (1.9.2008) by virtue of *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008* (S.I. 2008/1965), regs. 1(1), **11(b)**

F111 Reg. 8(8) added (1.9.2008) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008* (S.I. 2008/1965), regs. 1(1), **11(d)**

F112 Reg. 8(8)(a)(zi) inserted (31.12.2020) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (EU Exit) Regulations 2018* (S.I. 2018/1004), regs. 1, **8(b)**; 2020 c. 1, Sch. 5 para. 1(1)

[F113**8A.**—(1) A person (other than a person to whom regulation 8 applies) may apply to the competent authority for a driver qualification card if he has passed the initial CPC test in accordance with regulation 5(1).

[F114(2) A person who falls within regulation 6(10) may apply to the competent authority for a driver qualification card if that person has completed the required training and holds a qualifying licence.

(2A) For the purposes of paragraph (2), the “required training” means 35 hours of—

- (a) periodic training which entitles the person to a periodic CPC;
 - (b) Swiss periodic training which entitles the person to a Swiss periodic CPC; or
 - (c) a combination of periodic training and Swiss periodic training where that training would count towards the 35 hours of training which would entitle the person to a periodic CPC or a Swiss periodic CPC.
- (2B) A person holds a qualifying licence for the purposes of paragraph (2) if—
- (a) the person holds a Community licence, a British external licence, a Gibraltar licence or a Swiss licence; or
 - (b) the person holds a driving licence and some or all of that person’s training was undertaken outside the United Kingdom.]
- (3) The person shall send to the competent authority—
- (a) the fee specified in paragraph (6);
 - (b) if the competent authority so requests, a photograph of that person in such form as it may require; and
 - (c) in the case of an application made under paragraph (2), such documents or information as the competent authority may require in respect of [^{F115}any required training which was] undertaken by that person outside the United Kingdom.
- (4) Upon receipt of the items specified in paragraph (3), the competent authority shall issue that person with a driver qualification card if it is satisfied that the person has (as the case may be)—
- (a) passed the initial CPC test; or
 - (b) completed the [^{F116}required training].
- ^{F117}(5)
- (6) The fee shall be £25.
- (7) The competent authority may waive the fee specified in paragraph (6) in whole or in part if it thinks fit.
- (8) For the purposes of paragraph (4)(b) the competent authority shall take account of periodic training undertaken outside the United Kingdom.

Textual Amendments

- F113** Regs. 8A, 8B inserted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **12**
- F114** Reg. 8A(2)-(2B) substituted for reg. 8A(2) (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(8)(a)**
- F115** Words in reg. 8A(3)(c) substituted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(8)(b)**
- F116** Words in reg. 8A(4)(b) substituted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(8)(c)**
- F117** Reg. 8A(5) omitted (31.12.2020) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1004\)](#), regs. 1, **9**; 2020 c. 1, Sch. 5 para. 1(1)

Damaged, lost or stolen documents

8B.—(1) If a driver qualification card or an NVT certificate is damaged, lost or stolen, the person to whom that document was issued shall as soon as practicable notify the competent authority in

writing and shall provide such information or documents concerning the damage, loss or theft as the competent authority may require.

(2) If a driver qualification card or an NVT certificate is found at any time after the competent authority has been notified in accordance with paragraph (1) of the loss or theft of it, the person to whom that document was issued shall, if it is in his possession, return it to the competent authority, or if it is not in his possession, but he becomes aware that it is found, he shall take all reasonable steps to take possession of it and, if successful, shall return it to the competent authority as soon as practicable.

(3) If a driver qualification card or an NVT certificate has been damaged, lost or stolen, the competent authority must upon payment to it of a fee of £25 issue a replacement document to the person to whom that document was originally issued.

(4) The competent authority may waive the fee specified in paragraph (3) in whole or in part if it thinks fit.

(5) A person who does not comply with the requirements of paragraph (1) or (2) is guilty of an offence.

(6) A person guilty of an offence under this regulation is liable on summary conviction to a fine not exceeding level 3 on the standard scale.]

Textual Amendments

F113 Regs. 8A, 8B inserted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **12**

Time limits for obtaining a CPC

9.—(1) Subject to paragraphs (2), (3), (4) and (5) of this regulation, a person to whom these Regulations apply is not permitted to drive a relevant vehicle on a road unless no more than five years have elapsed since he obtained a CPC [^{F118}or a Swiss CPC] relating to motor vehicles of the category into which that particular relevant vehicle falls.

(2) A person to whom regulation 4(7) applies is not required to hold an initial CPC relating to motor vehicles of the category into which that particular relevant vehicle falls, or

- (a) a periodic CPC before 10th September 2013 where that regulation applies to him by virtue of sub-paragraph (a);
- (b) a periodic CPC before 10th September 2014 where that regulation applies to him by virtue of sub-paragraph (b).

(3) A person is not required to hold a CPC [^{F119}or a Swiss CPC] where regulation 4(5) applies to him.

[^{F120}(4) Paragraph (1) does not apply to a relevant licence holder where that person—

- (a) holds an initial CPC issued in a member State [^{F121}... or in Gibraltar and no longer time than the relevant Article 8(2)(a) period has elapsed since the issue of the initial CPC; [^{F122}...

[^{F123}(aa) holds a Swiss initial CPC and a period no longer than the equivalent Swiss period has elapsed since the issue of the Swiss initial CPC; or]

- (b) is exempted under Article 4 of the Directive from the requirement to obtain an initial qualification and no longer time than the relevant Article 8(2)(b) period has elapsed since—

- (i) in the case of a licence authorising the driving of a relevant vehicle falling within category C or C+E, 10th September 2009; or

(ii) in the case of a licence authorising the driving of a relevant vehicle falling within category D or D+E, 10th September 2008.]

[^{F124}(4A) For the purposes of paragraph (4)—

[^{F125}“equivalent Swiss period” means the period of time which applies in Switzerland and is recognised by the competent authority as equivalent to a relevant Article 8(2)(a) period;]

“relevant Article 8(2)(a) period” means the period of time which, for the purpose of Article 8(2)(a) of the Directive, applies in the member State or territory (as the case may be) in which the initial CPC was issued;

“relevant Article 8(2)(b) period” means the period of time which, for the purpose of Article 8(2)(b) of the Directive, applies in the member State or territory (as the case may be) in which the relevant licence was issued; and

“relevant licence holder” means a person who holds a Community licence, a British external licence [^{F126}, a Gibraltar licence or a Swiss licence].]

(5) A person who holds a periodic CPC [^{F127}or Swiss periodic CPC] as described in paragraph (1) is not required to complete any further periodic training [^{F128}or Swiss periodic training] before the expiry of that CPC [^{F129}or Swiss CPC] in respect of any category of relevant vehicle to which that CPC [^{F129}or Swiss CPC] does not relate.

^{F130}(6)

Textual Amendments

- F118** Words in reg. 9(1) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(9)(a)**
- F119** Words in reg. 9(3) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(9)(b)**
- F120** Reg. 9(4) substituted (18.10.2011) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2011 \(S.I. 2011/2324\)](#), regs. 1, **6(a)**
- F121** Words in reg. 9(4)(a) omitted (31.12.2020) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1004\)](#), regs. 1, **10**; 2020 c. 1, Sch. 5 para. 1(1)
- F122** Word in reg. 9(4)(a) omitted (22.7.2020) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(9)(c)(i)**
- F123** Reg. 9(4)(aa) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(9)(c)(ii)**
- F124** Reg. 9(4A) inserted (18.10.2011) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2011 \(S.I. 2011/2324\)](#), regs. 1, **6(b)**
- F125** Words in reg. 9(4A) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(9)(d)(i)**
- F126** Words in reg. 9(4A) substituted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(9)(d)(ii)**
- F127** Words in reg. 9(5) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(9)(e)(i)**
- F128** Words in reg. 9(5) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(9)(e)(ii)**
- F129** Words in reg. 9(5) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(9)(e)(iii)**
- F130** Reg. 9(6) omitted (1.9.2008) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **13**

Offence of driving without a CPC

10.—(1) A person who does not comply with regulation 4(1) or 9(1) is guilty of an offence.

(2) A person who causes or permits another person to drive a relevant vehicle on a road in breach of regulation 4(1) or 9(1) is guilty of an offence.

(3) A person guilty of an offence under this regulation shall be liable upon summary conviction to a fine not exceeding level 3 on the standard scale.

Requirement to carry and produce evidence of CPC or of training exemption in vehicle

11.—(1) Subject to paragraph (4), a person who is required to hold a CPC [^{F131}or Swiss CPC] by virtue of regulation 9(1) and who does not carry with him in the [^{F132}relevant vehicle] which he is driving evidence of that CPC [^{F131}or Swiss CPC] as specified in paragraph (2) [^{F133}or (2A)] is guilty of an offence.

(2) That evidence [^{F134}in the case of a CPC] may be any of the following documents—

(a) a driver qualification card;

(b) a Community licence [^{F135}bearing Union code ‘95’ provided for in Annex I to [Directive 2006/126/EC](#) of the European Parliament and of the Council (“the Union code”)];

[^{F136}(c) a driver attestation, provided for in Regulation [\(EC\) No 1072/2009](#) of the European Parliament and of the Council, granted to the driver by a member State ^{F137}... and, if issued on or after 23 May 2020, bearing the Union code; or]

(d) any other document issued to the driver by a member State ^{F138}... certifying an initial CPC or a periodic CPC.

[^{F139}(2A) The evidence referred to in paragraph (1) in the case of a Swiss CPC is—

(a) a Swiss CPC; or

(b) any other document issued to the driver by Switzerland certifying a Swiss initial CPC or a Swiss periodic CPC and recognised by the competent authority as evidence of such for the purposes of this regulation.]

(3) A person to whom regulation 4(9) or [^{F140}9(4)(a)] applies who does not carry with him in the vehicle he is driving evidence as specified in paragraph (2) of the initial CPC he holds is guilty of an offence.

[^{F141}(3A) A person to whom regulation 4(9A) or 9(4)(aa) applies who does not carry with him in the vehicle he is driving evidence as specified in paragraph (2A) of the Swiss initial CPC he holds is guilty of an offence.]

[^{F142}(4) Paragraph (1) does not apply to a person—

(a) who has been issued with a driver qualification card by the competent authority under regulation 8(1) or 8A(4) but has not yet received it; or

(b) whose driver qualification card has been damaged, lost or stolen, who has notified the competent authority under regulation 8B(1) and who has paid the fee specified in regulation 8B(3) but who has not yet received a replacement card.]

[^{F143}(5) Subject to paragraph (5A), a person to whom regulation 4(5) applies who does not carry an NVT certificate with him in the relevant vehicle which he is driving is guilty of an offence.]

[^{F144}(5A) Paragraph (5) does not apply to a person—

(a) who has been issued with an NVT certificate by the competent authority but has not yet received it; or

- (b) whose NVT certificate has been damaged, lost or stolen, who has notified the competent authority under regulation 8B(1) and who has paid the fee specified in regulation 8B(3) but who has not yet received a replacement certificate.

(5B) In paragraphs (4)(b) and (5A)(b), the reference to the fee specified in regulation 8B(3) is a reference to the fee insofar as it has not been waived under regulation 8B(5).]

[^{F145}(5C) Paragraph (5D) applies if it appears to—

- (a) in Great Britain, a stopping officer, or
 (b) in Northern Ireland, a vehicle examiner,

that the vehicle a person is driving could be a relevant vehicle.

(5D) The stopping officer or vehicle examiner may direct the driver to stop the vehicle for the purpose of enabling a vehicle examiner to exercise the powers under paragraph (6).]

(6) A police constable or vehicle examiner may at any time require a person to whom paragraph (1), (3) [^{F146}, (3A)] or (5) applies to produce to him the evidence or document, as the case may be, referred to in that paragraph.

(7) If a person fails to produce that evidence or document, as the case may be, when required to do so under paragraph (6) he shall be guilty of an offence.

(8) A person guilty of an offence under this regulation shall be liable upon summary conviction to a fine not exceeding level 3 on the standard scale.

[^{F147}(9) In this regulation “stopping officer” means an officer appointed under section 66B of the 1988 Act.]

Textual Amendments

- F131** Words in reg. 11(1) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(10)(a)(i)**
- F132** Words in reg. 11(1) substituted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **14(a)**
- F133** Words in reg. 11(1) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(10)(a)(ii)**
- F134** Words in reg. 11(2) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(10)(b)**
- F135** Words in reg. 11(2)(b) substituted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(10)(c)**
- F136** Reg. 11(2)(c) substituted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(10)(d)**
- F137** Words in reg. 11(2)(c) omitted (31.12.2020) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **11(a)** (as substituted by [S.I. 2020/662](#), regs. 1, **3(2)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F138** Words in reg. 11(2)(d) omitted (31.12.2020) by virtue of [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1004\)](#), regs. 1, **11(b)**; 2020 c. 1, **Sch. 5 para. 1(1)**
- F139** Reg. 11(2A) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(10)(e)**
- F140** Word in reg. 11(3) substituted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(10)(f)**
- F141** Reg. 11(3A) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(10)(g)**
- F142** Reg. 11(4) substituted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **14(b)**

- F143** Reg. 11(5) substituted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **14(c)**
- F144** Reg. 11(5A)(5B) inserted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **14(d)**
- F145** Reg. 11(5C)(5D) inserted (30.3.2011) by [The Road Vehicles \(Powers to Stop\) Regulations 2011 \(S.I. 2011/996\)](#), regs. 1, **12(2)(a)**
- F146** Word in reg. 11(6) inserted (22.7.2020) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2020 \(S.I. 2020/662\)](#), regs. 1, **2(10)(h)**
- F147** Reg. 11(9) inserted (30.3.2011) by [The Road Vehicles \(Powers to Stop\) Regulations 2011 \(S.I. 2011/996\)](#), regs. 1, **12(2)(b)**

Document errors

12.—^{F148}(1) Where it appears to the competent authority that—

- (a) an NVT certificate, or
- (b) a driver qualification card issued by it under regulation 8(1), 8A(4) or 8B(3),

was granted in error, or with an error or omission in the particulars specified in it, it may serve a notice in writing on that person revoking it and requiring him to surrender it to the authority forthwith.]

(2) It shall be the duty of that person to comply with that requirement.

(3) Where the name of the holder of the driver qualification card as specified on that card ceases to be correct, its holder must as soon as reasonably practicable surrender the driver qualification card to the competent authority.

(4) On surrender of a driver qualification card under paragraph (2), the competent authority may issue a new driver qualification card to that person free of charge subject to paragraph (6).

(5) On surrender of a driver qualification card under paragraph (3) and payment to it of a fee of £25, the competent authority shall issue a new driver qualification card to that person.

(6) Where it appears to the competent authority that the driver qualification card surrendered to it under paragraph (2) was granted in consequence of an error, omission or other act attributable to the fault of the holder of that card, it may issue a new card upon payment of a fee of £25.

(7) The competent authority may require a person to provide evidence of his name, sex and place and date of birth before issuing him with a new driver qualification card under paragraph (4), (5) or (6).

(8) A person who fails to comply with the duty in paragraph (2) or (3) without reasonable excuse is guilty of an offence.

(9) A person guilty of an offence under this regulation shall be liable upon summary conviction to a fine not exceeding level 3 on the standard scale.

Textual Amendments

- F148** Reg. 12(1) substituted (1.9.2008) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) \(No. 2\) Regulations 2008 \(S.I. 2008/1965\)](#), regs. 1(1), **15**

Forgery and false statements

13.—(1) A person is guilty of an offence if, with intent to deceive he—

- (a) forges, alters or uses any document referred to in regulation ^{F149}...11(2) [^{F150}or (2A)] [^{F151}or an NVT certificate];

- (b) lends to, or allows to be used by, any other person such a document; or
- (c) makes or has in his possession any document so closely resembling such a document as to be calculated to deceive.
- (2) In the application of paragraph (1) to England and Wales and Northern Ireland, “forges” means makes a false document in order that it may be used as genuine.
- (3) A person who knowingly makes a false statement for the purpose of obtaining [^{F152}the issue of a driver qualification card under regulation 8(1), 8A(4) or 8B(3) or the issue of an NVT certificate] is guilty of an offence.
- (4) A person guilty of an offence under paragraph (1) or (3) shall be liable—
- (a) on summary conviction, to imprisonment for a term not exceeding three months or a fine not exceeding the statutory maximum, or both, or
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine, or both.
- (5) Subject to paragraph (6), summary proceedings for an offence to which this regulation relates may be brought within a period of six months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge.
- (6) No such proceedings shall be brought by virtue of this regulation more than three years after the commission of the offence.
- (7) For the purposes of this regulation, a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his opinion to warrant the proceedings came to his knowledge shall be conclusive evidence of that fact.
- (8) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.
- (9) In relation to proceedings in Scotland, section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date of commencement of proceedings) shall apply for the purposes of this regulation as it applies for the purposes of that section.

Textual Amendments

- F149** Words in reg. 13(1)(a) omitted (1.9.2008) by virtue of *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008* (S.I. 2008/1965), regs. 1(1), **16(a)**
- F150** Words in reg. 13(1)(a) inserted (22.7.2020) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2020* (S.I. 2020/662), regs. 1, **2(11)**
- F151** Words in reg. 13(1)(a) added (1.9.2008) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008* (S.I. 2008/1965), regs. 1(1), **16(a)**
- F152** Words in reg. 13(3) substituted (1.9.2008) by *The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008* (S.I. 2008/1965), regs. 1(1), **16(b)**

Power to seize document in respect of which offences may have been committed

- 14.**—(1) If a constable or a vehicle examiner has reasonable cause to believe that a document carried in a motor vehicle or by the driver of the vehicle is a document in relation to which an offence has been committed under regulation 13, he may seize it.
- (2) When a document is seized under paragraph (1) and paragraph (3) applies, either the driver or owner of the vehicle shall be summoned before a magistrates' court or, in Scotland, the sheriff to account for his possession of the document.
- (3) This paragraph applies where the document is detained and neither the driver nor owner of the vehicle has previously been charged with an offence in relation to the document under regulation 13.

(4) The court or sheriff must make such order respecting the disposal of the document and award such costs as the justice of the case may require.

(5) For the purposes of paragraphs (2) and (3), “owner”, in relation to a vehicle which is the subject of a hiring or hire-purchase agreement, means the person in possession of the vehicle under that agreement.

[^{F153} Review

14A.—(1) Before the end of each review period, the Secretary of State must—

- (a) carry out a review of regulations 2 to 14;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Directive (as implemented by means of regulations 2 to 14) is implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by those regulations;
- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) In this regulation “review period” means—

- (a) the period of five years beginning on 1st October 2011; and
- (b) subject to paragraph (5), each successive period of five years.

(5) If a report under this regulation is published before the last day of the review period to which it relates, the following review period is to begin with the day on which that report is published.]

Textual Amendments

F153 Reg. 14A inserted (18.10.2011) by [The Vehicle Drivers \(Certificates of Professional Competence\) \(Amendment\) Regulations 2011 \(S.I. 2011/2324\)](#), regs. 1, 7

Amendment of the Driving Licences Regulations

15.—(1) Regulation 9 of the Driving Licences Regulations (minimum ages for holding or obtaining licences) is amended as follows.

(2) Omit paragraph (5).

(3) For paragraphs (7) and (8) substitute—

“(7) In item 7, the age of 18 is substituted for the age of 21 in relation to a motor vehicle of a class included in category C or C+E where the person driving the vehicle —

- (a) has an initial qualification authorising him to drive motor vehicles of that class,
- (b) is using the vehicle as described in regulation 3(2)(e) of the *Vehicle Drivers (Certificates of Professional Competence) Regulations 2007*,
- (c) is authorised by such document as is referred to in regulation 4(5)(d) of those Regulations to drive motor vehicles of that class, or

- (d) by reason of being a person in relation to whom regulation 4(7) of those Regulations applies, is not required to have an initial qualification as described in sub-paragraph (a).”

(4) For paragraph (9) substitute—

“(9) In item 7, the age of 18 is substituted for the age of 21 in relation to a motor vehicle of a class included in category D or D+E, other than sub-category D1 or D1+E, where the person driving the vehicle —

- (a) has an initial qualification authorising him to drive motor vehicles of that class and is either —
 - (i) engaged in the carriage of passengers on a regular service over a route which does not exceed 50 kilometres, or
 - (ii) not engaged in the carriage of passengers,
- (b) is using the vehicle as described in regulation 3(2)(e) of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007,
- (c) is authorised by such document as is referred to in regulation 4(5)(d) of those Regulations to drive motor vehicles of that class, or
- (d) by reason of being a person in relation to whom regulation 4(7) of those Regulations applies, is not required to have an initial qualification relating to motor vehicles of that class.

(9A) In item 7, the age of 18 is substituted for the age of 21 in relation to a motor vehicle of a class included in sub-category D1 or D1+E where the person driving the vehicle —

- (a) has an initial qualification authorising him to drive motor vehicles of that class,
- (b) is using the vehicle as described in regulation 3(2)(e) of the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007,
- (c) is authorised by such document as is referred to in regulation 4(5)(d) of those Regulations to drive motor vehicles of that class, or
- (d) by reason of being a person to whom regulation 4(7) of those Regulations applies, is not required to have an initial qualification relating to motor vehicles of that class.

(9B) In item 7, the age of 20 is substituted for the age of 21 in relation to a motor vehicle of a class include in category D or D+E, other than sub-category D1 or D1+E, where the person driving the vehicle —

- (a) has an initial qualification authorising him to drive motor vehicles of that class, and
- (b) is engaged in the carriage of passengers otherwise than on such a service as is described in paragraph (9)(a)(i).”

(5) Omit paragraph 13(b) and (c) and insert after sub-paragraph (c)—

- “(d) in paragraphs (7), (9), (9A) and (9B), “initial qualification” means such initial qualification as is provided for in Article 3(1)(a) of Council Directive [2003/59/EC](#) of the European Parliament and of the Council on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers;
- (e) in paragraphs (9) and (9B), expressions which are also used in that Directive have the same meanings as in that Directive.”

Department for Transport

S.J. Ladyman
Minister of State

We consent to the making of these Regulations

Frank Roy
Claire Ward
Two of the Lords Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Council Directive [2003/59/EC](#) of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers. In brief, the Directive requires such drivers to take an initial practical and theoretical driving test, valid for five years and 35 hours of periodic training every five years.

These Regulations extend to the United Kingdom, except regulation 15 which extends to Great Britain only.

Regulation 2 provides that in respect of Great Britain the competent authority is the Secretary of State and in respect of Northern Ireland it is the Department of the Environment.

Regulation 3 describes the categories of driver in respect of which the Regulations apply. Broadly, these are professional bus and lorry drivers. The main exceptions are those driving emergency vehicles, vehicles used by the police or armed forces, and vehicles used for training or testing purposes.

Regulation 4 prohibits any new driver from driving a bus on or after 10th September 2008 or a lorry on or after 10th September 2009 (“the relevant implementation date”) on a public road unless that driver has passed a theory and practical driving test, referred to as an “initial CPC” test. That test is more extensive than the current driving test and may be taken at the same time as that driving test. Drivers undergoing a vocational training course may be exempted up to 12 months from taking that test by the competent authority. Drivers who hold a bus or lorry driving licence before the relevant implementation date (“drivers with acquired rights”) are also exempt from taking the initial CPC test.

Regulation 5 allows the competent authority or a person approved by it to organise provision of initial CPC tests. Any person who takes the initial CPC test must pay £30 for the theory part of the test and £41 for the practical part of the test. This is additional to any fee that the applicant must pay for a driving test which he takes for a driving licence.

Regulation 6 allows the competent authority to approve persons to provide periodic training courses. Such a person must pay a fee of £1,500 for such approval which is valid for five years. In addition he must pay to the competent authority £250 for approval for each course which he proposes to provide. Such approval is valid for one year. Each course must last at least seven hours.

Regulation 7 requires each person who provides periodic training to notify the competent authority each time a course of periodic training has been completed. The competent authority must keep a record of such courses which have been completed.

Regulation 8 provides for a person who has passed the initial CPC test or completed 35 hours of periodic training to apply to the competent authority for a driver qualification card. The competent authority must issue such person with a driver qualification card upon payment of a fee of £25.

Regulation 9 prohibits anyone from driving a bus or lorry unless that person has passed the initial CPC test within the previous 5 years or has completed 35 hours of periodic training within the previous 5 years. Drivers with acquired rights who do not need to take the initial CPC test must complete 35 hours periodic training by 10th September 2013 in respect of bus drivers and by 10th September 2014 in respect of lorry drivers.

Regulation 10 makes it an offence for a person to drive without a CPC as required by the regulations. This is punishable with a fine up to level 3 on the standard scale.

Regulation 11 requires a driver who is required to have a CPC or who is exempt because he is undergoing an approved national vocational training course to carry evidence of that entitlement

Changes to legislation: There are currently no known outstanding effects for the The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007. (See end of Document for details)

while driving and to produce it on demand by a police constable or vehicle examiner. Failure to do so is an offence punishable with a fine up to level 3 on the standard scale.

Regulation 12 enables the competent authority to issue a new driver qualification card or a document authorising driving whilst undergoing an approved national vocational training course if that card or document contains any errors, including if the name ceases to be correct. A fee of £25 is payable if the name ceases to be correct or if the error was the card holder's fault. Otherwise issue of a new card is free of charge. Failure to surrender a card or document with errors is an offence punishable with a fine up to level 3 on the standard scale.

Regulation 13 makes it an offence for a person to forge or make false statements with respect to any document which evidences CPC entitlement or a training exemption. Such an offence is punishable on summary conviction with a fine up to the statutory maximum or on indictment to up to two years imprisonment or a fine or both.

Regulation 14 allows constables and examiners to seize any documents in respect of which an offence concerning evidence of CPC entitlement or a training exemption may have been committed under the regulations.

Regulation 15 amends the Motor Vehicles (Driving Licences) Regulations so that the new minimum age requirements in the Directive apply to bus and lorry drivers who have passed the initial CPC test. Broadly, 18 is substituted for the age of 21 in respect of bus drivers and lorry drivers provided that, in the case of the former, the driver is carrying passengers on a route which does not exceed 50 kilometres or does not carry passengers at all. For other bus drivers, age 20 is substituted for 21.

A copy of the regulatory impact assessment prepared in respect of these Regulations is available from the Driving Standards Agency, Policy Branch, Stanley House, 56 Talbot Street, Nottingham, NG1 5EJ or at www.dsa.gov.uk. It can also be accessed on the Office of Public Information website at www.opsi.gov.uk. A copy of the transposition note is also available from the Driving Standards Agency at the same address or at www.dsa.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007.