
DRAFT STATUTORY INSTRUMENTS

2007 No.

The Road Traffic (Northern Ireland) Order 2007

PART V

DRIVING INSTRUCTION

Introductory

Interpretation of this Part

46.—(1) For the purposes of this Part persons may carry on business in the provision of driving instruction in any way, including in particular—

- (a) by giving instruction themselves;
- (b) by arranging for the giving of driving instruction by their employees; or
- (c) by arranging for the giving of driving instruction by persons who are franchisees under driving instruction franchises under which they are the franchisor.

(2) In this Part “a driving instruction franchise” is an agreement under which one party (“the franchisor”) grants to another party (“a franchisee”) rights consisting of or including the right to use a particular trading name, style or design in the carrying on of business in the giving of driving instruction.

(3) In this Part references to “the franchisor” and “a franchisee”, in relation to a driving instruction franchise, shall be construed accordingly.

(4) In this Part “current”, in relation to a licence or certificate, means one which has not expired and has not been cancelled, revoked or suspended.

(5) In this Part—

- (a) “Community licence” and “counterpart”, in relation to a Community licence;
- (b) “provisional licence”; and
- (c) “motor vehicle”;

have the same meanings as in the Order of 1981.

(6) In this Part—

- “prescribed” means prescribed by regulations;
- “regulations” means regulations made by the Department.

Expressions defined in this Part

47. The expressions listed in the left-hand column below are respectively defined or (as the case may be) fall to be construed in accordance with the provisions of this Part listed in the right-hand column in relation to those expressions.

<i>Expression</i>	<i>Relevant provision</i>
Appropriate motor vehicle	Article 53(13)
Carry on business in the provision of driving instruction	Article 46(1)
Community licence and counterpart	Article 46(5)
Current (in relation to a licence or certificate)	Article 46(4)
Disability, prospective disability and relevant disability	Article 53(13)
Disabled person's limited driving licence	Article 53(13)
Driving instruction	Article 48(3)
Driving instruction franchise (and franchisor and franchisee)	Article 46(2) and (3)
Emergency control assessment and emergency control certificate	Article 53(13)
Modifications, in relation to a motor vehicle	Article 53(13)
Paid instruction	Article 48(5) and (6)
Prescribed	Article 46(6)
Provisional licence	Article 46(5)
Registered and registration	Article 48(7)
The register	Article 48(8)
Registered disabled instructor	Article 53(13)
The Registrar	Article 51(2)
Regulations	Article 46(6)
Relevant instructor examination	Article 63(2)
