



Road Traffic Act 1972

1972 CHAPTER 20

PART V

DRIVING INSTRUCTION

130 Removal of names from register

- (1) The Registrar may remove the name of a person from the register if the Registrar is satisfied, in a case where the name has not been retained therein under section 129 of this Act, that, at any time since the entry of the name was made, or, in a case where the name has been retained as aforesaid, that, at any time since it was last retained, any of the following conditions was fulfilled in the case of that person, that is to say—
- (a) that he held neither a current licence of a kind mentioned in sub-paragraph (i) of section 128(1)(b) of this Act nor one of a kind mentioned in sub-paragraph (ii) of the said section 128(1)(b);
 - (b) that he was disqualified under section 93 of this Act or section 5 of the Road Traffic Act 1962 for holding or obtaining a licence to drive a motor vehicle under Part III of this Act or, as the case may be, Part II of the Road Traffic Act 1960;
 - (c) that he refused to undergo a test such as is mentioned in section 128(2) of this Act;
 - (d) that he failed to pass such a test;
 - (e) that he ceased, apart from fulfilment of any of the foregoing conditions, to be a fit and proper person to have his name included in the register;
- or if the entry of his name in the register, or the retention of his name therein, was made by mistake or procured by fraud.
- (2) Before removing the name of a person from the register under this section, the Registrar shall give to the person concerned written notice stating that he is considering the removal and giving particulars of the grounds on which he is considering it; and that person may, within the period of twenty-eight days beginning with the day on which the notice is given, make representations with respect to the proposed removal; and the Registrar shall not decide to remove the name from the register until after the

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expiration of the said period and, before deciding whether or not to do so, shall take into consideration any such representations made by the person concerned within the said period.

- (3) The Registrar shall, on making a decision to remove a name from the register, give notice in writing of the decision to the person concerned, and section 129(4) of this Act shall apply for the purpose of determining when (if at all) the decision takes effect as it does for the purpose of determining when (if at all) a decision to refuse an application under the said section 129 takes effect.