

*These notes refer to the Road Safety Act 2006 (c.49)
which received Royal Assent on 8 November 2006*

ROAD SAFETY ACT 2006

EXPLANATORY NOTES

DRIVING STANDARDS

Section 43: Tests: approved assistants

170. This section inserts new section 162A (approved test assistants) into the RTA. This gives the Secretary of State power to provide for a statutory scheme regulating the use of persons who may assist test candidates that have difficulty in hearing, understanding or responding to instructions or questions.
171. *Subsection (1)* enables regulations to be made permitting any person wishing to be accompanied at a relevant test by another person (a "test assistant") if he submits himself for the relevant test in any circumstances in which the Secretary of State considers it appropriate and if the test assistant is approved in accordance with regulations made under this section to accompany people at relevant tests in such circumstances.
172. *Subsection (2)* sets out examples of the circumstances in which the Secretary of State considers it appropriate that a person should be entitled to be accompanied by a test assistant at a relevant test.
173. *Subsection (3)* provides that the regulations may include, in particular, provision with respect to the administrative arrangements for the approval of test assistants, the conditions that may be imposed with respect to their appointment and continued approval, an appeals procedure, the circumstances in which a test assistant may not act as such, the evidencing by persons of their status as approved test assistants and the publication of information about approved test assistants. The subsection also provides that the regulations may provide for the charging of fees in respect of applications for approval, or of approvals, (or both) of fees of such amounts as are prescribed.
174. *Subsection (4)* provides that the regulations may make different provision in relation to different cases.
175. The relevant tests (specified in *subsection (5)*) are the theory and practical parts of driving tests (including those taken in order to discharge disqualification until test is passed), the examination of fitness and ability to give driving instruction and the emergency control assessment taken by prospective disabled instructors.