
STATUTORY INSTRUMENTS

1999 No. 2864

The Motor Vehicles (Driving Licences) Regulations 1999

PART V

**APPROVED TRAINING COURSES FOR
RIDERS OF MOTOR BICYCLES AND MOPEDS**

Instructors

Certified Instructors

60.—(1) No person may conduct instruction in the riding of motor bicycles or mopeds as part of an approved training course except in accordance with this regulation and regulations 61 to 68.

(2) Subject to the following provisions of this regulation, an approved training body may authorise persons to conduct on his behalf instruction of persons in the riding of learner motor bicycles and mopeds.

(3) A person may not be authorised under paragraph (2) unless at the date of authorisation he satisfies the following conditions, namely that—

- (a) he is a fit and proper person to be an instructor;
 - (b) he holds a full licence authorising the driving of vehicles in category A other than vehicles included in sub-category A1;
 - (c) either—
 - (i) in the case of a person who was authorised to conduct instruction by an approved training body in accordance with regulations in force on 30th January 1998, he had held that licence for a period of, or periods amounting in aggregate to, not less than two years, or
 - (ii) in any other case, he is at least 21 years of age and has held that licence for a period of, or periods amounting in aggregate to, not less than three years; and
 - (d) he has either—
 - (i) successfully completed the Secretary of State's assessment course for certified instructors, or
 - (ii) been fully trained by a certified instructor who has successfully completed such a course and assessed by that instructor to be capable of acting as a certified instructor.
- (4) An authorisation given to a person under paragraph (2) shall be of no effect unless—
- (a) the approved training body has notified the Secretary of State in writing of the proposed authorisation,
 - (b) the Secretary of State has approved the authorisation in writing, and

- (c) there is in force in respect of that person a valid certificate, in the form set out in Part 1 of Schedule 13, issued by the Secretary of State to the approved training body giving the authorisation.
- (5) A person in respect of whom a certificate issued under paragraph (4)(c) is in force—
 - (a) shall be known as a certified instructor, and
 - (b) shall be entitled to conduct approved training courses, and
 - (c) in the case of a person who has successfully completed the Secretary of State's assessment course for certified instructors, shall be entitled to train other persons and to assess their capability to act as certified instructors.
- (6) Where a person who is an approved training body satisfies the conditions set out in paragraph (3), the Secretary of State may issue a certificate in respect of him under paragraph (4)(c) and while that certificate is in force—
 - (a) he shall be known as a certified instructor,
 - (b) he shall be entitled to conduct approved training courses, and
 - (c) in the case of a person who has successfully completed the Secretary of State's assessment course for certified instructors, he shall be entitled to train other persons and to assess their capability to act as certified instructors.
- (7) A certificate issued pursuant to paragraph (4)(c) shall be valid for a period of four years but may be renewed upon application being made to the Secretary of State by the approved training body who authorised the instructor.
- (8) When conducting an approved training course a certified instructor shall carry with him the certificate issued in respect of him by the Secretary of State and shall, upon being required to do so by a constable or the Secretary of State, produce it for examination.
- (9) In this Part of these Regulations "certified instructor" has the meaning given in paragraph (5)(a) or (6)(a) as the case may be.

Persons authorised as assistant instructors

61.—(1) Subject to paragraphs (2) and (3), a person authorised or deemed to be authorised as an assistant instructor by virtue of regulations in force on 30th January 1998 shall be entitled to conduct, on behalf of an approved training body, the instruction of riders of motor bicycles in all elements other than element (E) of the prescribed training course.

(2) No person authorised or deemed to be authorised as an assistant instructor may conduct instruction if at any time he ceases to hold a full licence authorising the driving of vehicles in category A (other than a licence authorising the driving only of vehicles in sub-category A1) or if the Secretary of State, being satisfied that he is not a fit and proper person to conduct instruction, withdraws approval of his authorisation to act as an assistant instructor.

(3) No person shall be entitled to conduct training otherwise than as a certified instructor or certified direct access instructor after 30th January 2002.

Withdrawal of approval to provide training courses or to act as instructor

62.—(1) The Secretary of State may at any time by notice in writing withdraw an authorisation given under regulation 58(3), an approval given under regulation 60(4)(b) or an authorisation granted by virtue of regulation 61(1).

- (2) Where the Secretary of State withdraws an authorisation given under regulation 58(3)—
 - (a) the approval of that person for the purposes of that regulation, and

- (b) the authority of that person, and of any other person whom he has approved to act as a certified or assistant instructor,

shall cease forthwith and the person whose approval is withdrawn shall, before the expiration of a period of 28 days commencing on the date of withdrawal, return to the Secretary of State all certificates which were issued to him under regulation 60(4)(c) and all forms for certificates which were supplied to him under regulation 68(3).

(3) Where the Secretary of State withdraws an approval given under regulation 60(4)(b) or an authorisation granted by virtue of regulation 61(1)—

- (a) the authority of the person whose approval to act (as the case may be) as a certified or assistant instructor is withdrawn shall cease forthwith, and
- (b) in the case of the withdrawal of an approval given in respect of a certified instructor, the person whose approval is withdrawn shall as soon as is reasonably practicable return the certificate issued under regulation 60(4)(c) and all forms of certificates which were supplied to him under regulation 68(3) to the approved training body who authorised him who must, on receiving the certificate issued under regulation 60(4)(c), return it to the Secretary of State.

Cessation of conduct of training

63.—(1) Where a certified instructor authorised by an approved training body under regulation 60(2) ceases to conduct instruction on behalf of the body who authorised him, he shall as soon as is reasonably practicable return the certificate issued under regulation 60(4)(c) and all forms of certificates which were supplied to him under regulation 68(3) to the approved training body who must, on receiving the certificate issued under regulation 60(4)(c), return it to the Secretary of State.

(2) Where an approved training body who is also entitled under regulation 60(6) to conduct instruction as a certified instructor ceases to conduct such instruction, he shall immediately return the certificate issued under regulation 60(4)(c) and (unless the Secretary of State agrees otherwise) all forms of certificates which were supplied to him under regulation 68(3) to the Secretary of State.

Approved training courses conducted on large motor bicycles

64.—(1) An approved training course for a person holding a provisional licence authorising the driving of large motor bicycles and undertaken by him on a motor bicycle other than a learner motor bicycle must be conducted by a certified direct access instructor.

(2) “Certified direct access instructor” means a person authorised (or deemed to have been authorised) in accordance with regulation 65.

Certified direct access instructors

65.—(1) An approved training body may, subject to the following provisions of this regulation, authorise instructors to conduct on his behalf the instruction of persons who hold provisional licences authorising the riding of large motor bicycles in the riding of motor bicycles other than learner motor bicycles.

(2) A person may not be authorised under paragraph (1) unless he—

- (a) holds a full licence to drive motor bicycles,
- (b) either—
 - (i) was authorised on 30th January 1998 to conduct instruction by an approved training body in accordance with these Regulations and has held that licence for a period of, or periods amounting in aggregate to, not less than 2 years, or

- (ii) if he was not so authorised, is at least 21 years of age and has held that licence for a period of, or periods amounting in aggregate to, not less than 3 years.
 - (c) is a certified instructor, and
 - (d) has successfully completed the Secretary of State's assessment course for certified direct access instructors.
- (3) An authorisation given under paragraph (1) shall be of no effect unless—
- (a) the person whom the approved training body proposes to authorise, or another person who is at that time validly authorised by the approved training body to provide instruction in the riding of large motor bicycles, has successfully completed the Secretary of State's assessment course for certified instructors in addition to the assessment course for direct access instructors,
 - (b) the approved training body has notified the Secretary of State in writing of the proposed authorisation, and
 - (c) the Secretary of State has approved the authorisation in writing.
- (4) An authorisation given under paragraph (1) shall be of no effect in the case of a direct access instructor unless there is in force in respect of him a valid certificate, in the form set out in Part 2 of Schedule 13, issued by the Secretary of State to the person who has authorised him under paragraph (1).
- (5) The Secretary of State may at any time by notice in writing withdraw an approval given under paragraph (3)(c) and any authorisation given under paragraph (1) shall cease to have effect from the date of such notice.
- (6) Any authorisation given under paragraph (1) by an approved training body shall cease to have effect if at any time there ceases to be a person who—
- (a) is validly authorised by that approved training body to conduct instruction in accordance with paragraph (1), and
 - (b) has successfully completed the Secretary of State's assessment course for certified instructors in addition to the assessment course for direct access instructors.
- (7) Where—
- (a) a person who is an approved training body satisfies the conditions set out in paragraph (2),
 - (b) either he or another person who is at that time validly authorised by him to provide instruction in the riding of large motor bicycles has successfully completed the Secretary of State's assessment course for certified instructors in addition to the assessment course for direct access instructors, and
 - (c) there is in force in respect of that training body a valid certificate issued by the Secretary of State under paragraph (4),
- he shall be deemed to have been authorised under paragraph (1) as a certified direct access instructor.
- (8) Regulations 60(7) and (8), 62(3) and 63 shall apply in respect of a certified direct access instructor as they apply in respect of a certified instructor as if the references therein to the issue of certificates and the giving or withdrawal of approval were references to the issue of certificates and the giving or withdrawal of approval under this regulation.
- (9) Where an authorisation given, or deemed to be given, under this regulation in respect of a certified direct access instructor ceases to have effect by virtue of any of the foregoing provisions of this regulation that instructor shall as soon as is reasonably practicable return the certificate issued under paragraph (4) to the approved training body who must, on receiving it, return it immediately to the Secretary of State.