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STATUTORY INSTRUMENTS

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**1999 No. 2864**

**The Motor Vehicles (Driving Licences) Regulations 1999**

**PART III**

**TESTS OF COMPETENCE TO DRIVE**

*Applications for tests*

**Applications for theory tests: large vehicle instructors**

**28.**—(1) A large vehicle instructor who wishes to make an appointment for a theory test prescribed in respect of motor vehicles in category C or D to be conducted by an appointed person and to be taken by a person who has, or will have, received from that instructor tuition to prepare him for the theory test shall—

- (a) apply for such an appointment to the appointed person, specifying the date and time of the appointment which the instructor wishes to reserve and the place where he wishes the test to be conducted,
- (b) provide such details relating to himself, the establishment and the nature of the test as the appointed person may reasonably require, [<sup>F1</sup>and]
- <sup>F2</sup>(c) .....
- (d) pay the fee (recoverable from the person nominated under paragraph (4)) specified in [<sup>F3</sup>regulation 30(1) or (2)].

(2) The appointed person may refuse to accept an application from a large vehicle instructor (or, where two or more applications have been made on the same occasion, to accept all or any of those applications) where any appointment specified in the application is unavailable, or where, in the opinion of the appointed person, it is reasonably necessary to do so in the general interests of applicants for theory tests.

(3) Subject to paragraphs (2) and (5), upon receipt of such details and such fee the appointed person shall confirm to the large vehicle instructor the date and time of the appointment.

(4) If, before the expiration of the qualifying period, the appointed person receives from the large vehicle instructor the name and such further details relating to—

- (a) the person receiving tuition from that instructor who will at the appointment submit himself for that test, and
- (b) the nature of the test,

as the appointed person may reasonably require, the appointed person shall make the arrangements necessary for the taking of the appropriate test.

(5) A person nominated by a large vehicle instructor pursuant to paragraph (4) for a theory test prescribed in respect of any category may neither be so nominated nor apply under regulation 26 for a further appointment for such a test unless—

- (a) the appointment made pursuant to the first nomination has been cancelled, or

(b) the test due on that appointment does not take place for any reason other than cancellation, or

(c) he has kept that appointment (whether or not the test is completed).

(6) The qualifying period for the purposes of paragraph (4) is the period ending [<sup>F4</sup>at 16.00 hours on the day which allows one clear working day to elapse between that day and] the day for which the appointment is made.

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**Textual Amendments**

- F1** Word in reg. 28(1)(b) added (7.7.2008) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **9(a)** (with reg. 22)
- F2** Reg. 28(1)(c) omitted (7.7.2008) by virtue of [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No. 4\) Regulations 2008 \(S.I. 2008/1435\)](#), regs. 1(1), **9(b)** (with reg. 22)
- F3** Words in reg. 28(1)(d) substituted (20.8.2014) by [The Driving Theory Test Fees \(Various Amendments\) Regulations 2014 \(S.I. 2014/1816\)](#), regs. 1, **2(4)**
- F4** Words in reg. 28(6) substituted (1.11.2005) by [The Motor Vehicles \(Driving Licences\) \(Amendment\) \(No 2\) Regulations 2005 \(S.I. 2005/2717\)](#), regs. 1, **5**

**Changes to legislation:**

There are currently no known outstanding effects for the The Motor Vehicles (Driving Licences) Regulations 1999, Section 28.