
STATUTORY INSTRUMENTS

2005 No. 1902

The Motor Cars (Driving Instruction) Regulations 2005

PART 5

Licences under Section 129 of the Act

Additional conditions to be satisfied for the grant of a licence

13.—(1) To the conditions as to which the Registrar is required to be satisfied for the grant of a licence under section 129 of the Act, there are added the following conditions which shall have effect subject to paragraph (3) below and to regulation 3(6).

(2) The additional conditions are—

- (a) that the person has passed the driving ability and fitness test after passing the written examination;
 - (b) that he passed the driving ability and fitness test on his first, second or third attempt after he had passed the written examination;
 - (c) that he makes the application within 2 years after passing the written examination;
 - (d) that he has not failed the instructional ability and fitness test more than twice since he passed the written examination;
 - (e) except in the case of an application for a substitute licence, that he has received within the period of 6 months ending on the date of his application for a licence not less than 40 hours training which fulfils the requirements of paragraph (3) below;
 - (f) in the case of an application to which sub-paragraph (e) applies, that he delivers with his application evidence, in the form specified in Part 2 of Schedule 2 to these Regulations, that he has received the training specified in that sub-paragraph;
 - (g) that he submits with his application for a licence—
 - (i) the name, address and registration number of the approved driving instructor who has consented to take responsibility either for his supervision in accordance with regulation 15(2) below or, as the case may be, the provision of supplementary training in accordance with regulation 15(3) to (5) (and the counter-signature of the application by that approved driving instructor shall be taken as sufficient evidence of such consent), and
 - (ii) the address from which he will be providing paid driving instruction if different from the address of the approved driving instructor referred to in paragraph (i) above;
 - (h) that the Registrar is satisfied that the approved driving instructor referred to in sub-paragraph (g)(i) above is fit and able to undertake responsibility for the supervision or, as the case may be, the training of that person in accordance with regulation 15 below (and in determining whether or not he is able to undertake that responsibility the Registrar shall have regard to the number of licence holders in respect of whom he has already consented to undertake similar responsibility).
- (3) This paragraph requires that the training—

- (a) is given by an approved driving instructor,
 - (b) includes training in all the matters specified in Part 1 of Schedule 2 to these Regulations, and
 - (c) is training of which at least 10 hours is conducted in a motor car where the approved driving instructor and the person being trained are accompanied, if at all, by no more than one other person who is receiving training of the same nature.
- (4) A person shall be deemed to have made an application on date that his application and the fee prescribed by these Regulations are received by the Registrar.
- (5) In this Part of these Regulations “substitute licence” means a licence granted pursuant to an application made in accordance with section 129(6) of the Act (so as to come into effect immediately upon the expiry of a previous licence).