
STATUTORY INSTRUMENTS

2010 No. 1203

**The Motor Vehicles (Driving Licences)
(Amendment) Regulations 2010**

Appointment of persons to conduct tests

7. After regulation 22 after the heading “Appointment of persons to conduct tests” insert—

“Persons by whom safe road use test may be conducted

22A.—(1) Subject to the provisions of this regulation, a safe road use test may only be conducted by—

- (a) a person (including a relevant awarding authority) appointed in writing for that purpose by the Secretary of State; or
- (b) a person or class of persons appointed by a relevant awarding authority for the purpose of testing persons taking a safe road use test as part of a relevant qualification.

(2) No relevant awarding authority shall be eligible to appoint any person or class of persons under paragraph (1)(b) unless, following an application made to the Secretary of State for the purpose of that paragraph, the Secretary of State is satisfied in relation to such an appointment that—

- (a) proper arrangements will be made by the authority for the conduct of the test in accordance with these Regulations; and
- (b) proper records of the tests and the results of the tests will be kept by the authority, and has granted approval in writing to the authority making the appointments, the approval to be subject to such conditions as the Secretary of State thinks fit to impose.

(3) An appointment made under paragraph (1)(a) may be made subject to such conditions as are, in the opinion of the Secretary of State, reasonably necessary in the general interests of candidates.

(4) The Secretary of State may vary any conditions imposed under paragraphs (2) or (3) by notice in writing given to the appointed person or to the relevant awarding authority in the case of an approval granted under paragraph (2).

(5) No person, or member of a class of persons appointed by virtue of paragraph (1)(b), may conduct tests unless the Secretary of State has approved the appointments in writing and such approval shall be granted only if the Secretary of State is satisfied that that person is, or the members of that class of persons are, capable of making a proper assessment of a candidate’s knowledge of the matters in Schedule 7 Part 2 other than the excepted matters.

22B.—(1) The Secretary of State shall, on request, supply (by electronic or other means) a test set to any relevant awarding authority.

(2) In this regulation, a “test set” means a set of the information and materials necessary for the conduct of the safe road use test, for each person taking the test.”.