

---

STATUTORY INSTRUMENTS

---

**2016 No. 1089**

**The Driving and Motorcycle Riding Instructors (Recognition of European Professional Qualifications) Regulations 2016**

**Amendment of the Motor Cars (Driving Instruction) Regulations 2005**

7.—(1) The Motor Cars (Driving Instruction) Regulations 2005(1) are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “approved driving instructor”, after “entered in” insert “Part 1 of”.

(3) In regulation 9(1) (additional conditions for entry of name on register), for “the name of a person in the register” substitute “in Part 1 of the register the name of a person who is required to pass the examination”.

(4) In regulation 11(1) (additional condition for retention of names on the register), after “person in” insert “Part 1 of”.

(5) In regulation 17(1) (fees), in column (2) of the Table in paragraph (1)—

- (a) in item 6, after “name in” insert “Part 1 of”,
- (b) in item 8, after “Entry to” insert “Part 1 of”, and
- (c) in item 9—
  - (i) after “Entry to” insert “Part 1 of”, and
  - (ii) for “125(7)” substitute “125(3A)(b) or (7)”.

(6) In regulation 18 (official title of registered person and certificate of registration)—

- (a) at the end of the heading insert “: Part 1”,
- (b) in paragraph (1), after “are in” insert “Part 1 of”, and
- (c) in paragraph (2), after “are in” insert “Part 1 of”.

(7) After regulation 18 insert—

**“Official title of registered person and certificate of registration: Part 2**

**18A.**—(1) The official title for use by a person whose name is in Part 2 of the register shall be the title used in the State that is the person’s home State for the purposes of the European Union (Recognition of Professional Qualifications) Regulations 2015(2).

(2) The certificate for issue to persons whose names are in Part 2 of the register, as evidence of their names being therein, shall be in the form set out in Schedule 5A to these Regulations.”.

(8) In regulation 19 (form of badge)—

- (a) in the heading after “Form of badge” insert “: Part 1”, and
- (b) after “are in” insert “Part 1 of”.

---

(1) [S.I. 2005/1902](#); relevant amending instruments are [S.I. 2005/2716](#), [S.I. 2008/419](#), [S.I. 2014/480](#), [S.I. 2014/1816](#) and [S.I. 2015/952](#).  
(2) [S.I. 2015/2059](#).

(9) After regulation 19 insert—

**“Form of badge: Part 2**

**19A.** The badge for use by persons whose names are in Part 2 of the register as evidence of their names being therein shall be in the form set out in Schedule 6A to these Regulations.”.

(10) After regulation 22 (revocations and transitional provisions) insert—

**“Review**

**23.—**(1) The Secretary of State must from time to time—

- (a) carry out a review of these Regulations,
- (b) set out the conclusions of the review in a report, and
- (c) publish the report.

(2) In carrying out the review, the Secretary of State must, as far as is reasonable, have regard to how the Directive (to the extent to which it is implemented by these Regulations) is implemented in other member States.

(3) The report must in particular—

- (a) set out the objective intended to be achieved by the regulatory system established by these Regulations,
- (b) assess the extent to which those objectives are achieved, and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published by 9th December 2021.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.

(6) In this regulation “the Directive” means [Directive 2005/36/EC](#) of the European Parliament and of the Council on the recognition of professional qualifications<sup>(3)</sup>.”.

(11) In Schedule 5 (forms of certificate), for the heading “Forms of Certificate” substitute “Form of Certificate: PART 1”.

(12) After Schedule 5, insert the Schedule set out in Schedule 2 to these Regulations.

(13) In Schedule 6 (form of badge), for the heading “Form of Badge” substitute “Form of Badge: PART 1”.

(14) After Schedule 6, insert the Schedule set out in Schedule 3 to these Regulations.

---

(3) OJ No L 255, 30.9.2005, p. 22. The Directive was amended by [Directive 2013/55/EU](#); there are other amending measures but none is relevant.