

*Status: This version of this provision is prospective.*

*Changes to legislation: The Road Traffic (Northern Ireland) Order 2007, Section 45 is up to date with all changes known to be in force on or before 28 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## STATUTORY INSTRUMENTS

# 2007 No. 916

## The Road Traffic (Northern Ireland) Order 2007

### PART IV

#### DRIVER AND VEHICLE TESTING

PROSPECTIVE

#### Approved test assistants

45. After Article 8 of the Order of 1981 insert—

##### “Approved test assistants

8A.—(1) The Department may make regulations permitting any person wishing to be accompanied at a relevant test by another person (a “test assistant”) to be so accompanied if—

- (a) he submits himself for the relevant test in any circumstances in which the Department considers it appropriate that he should be entitled to be so accompanied; and
- (b) the test assistant is approved in accordance with regulations made under this Article to accompany people at relevant tests in such circumstances in order to assist them in undergoing the relevant tests.

(2) The circumstances in which the Department considers it appropriate that a person should be entitled to be accompanied by a test assistant at a relevant test may include, for example, circumstances in which he is likely to have difficulty in hearing, understanding or responding to instructions or questions in the course of the relevant test without assistance.

(3) The regulations may make provision in relation to the approval of test assistants and may, in particular, include provision—

- (a) in relation to the making of applications for approval;
- (b) for the payment in respect of applications for approval, or in connection with approvals, of fees of a prescribed amount;
- (c) in relation to the period for which an approval is to have effect and withdrawing approval;
- (d) authorising the imposition of conditions on an approval;
- (e) for an appeal to lie to a court of summary jurisdiction <sup>F1</sup>... against a refusal of an application for approval, the imposition of conditions on an approval or the withdrawal of approval;
- (f) prescribing circumstances in which an approved test assistant may not act as such;

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- (g) as to the evidencing by persons of their status as approved test assistants;
  - (h) authorising the Department to make available (with or without charge) information about approved test assistants.
- (4) In this Article “relevant tests” means–
- (a) tests of competence to drive a motor vehicle prescribed by virtue of Article 5(3) of this Order or Article 41(5) of the Offenders Order;
  - (b) examinations of ability and fitness (or continued ability and fitness) to give driving instruction for which provision is made by virtue of Article 62 of the Order of 2007;
  - (c) emergency control assessments under Article 65 of the Order of 2007.”.

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#### Textual Amendments

- F1** Words in art. 45 repealed (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), Sch. 1 para. 132(7), Sch. 9 Pt. 1 (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k)(m) (with art. 3)

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 para. 4(d)-(g) repealed by [S.I. 2007/916 \(N.I.\) Sch. 8 Pt. 5](#)
- Sch. 4 para. 7(a)(b) repealed by [S.I. 2007/916 \(N.I.\) Sch. 8 Pt. 5](#)
- Sch. 4 para. 13(b)(c)(d) repealed by [S.I. 2007/916 \(N.I.\) Sch. 8 Pt. 5](#)
- Sch. 4 para. 21(a)-(c) repealed by [S.I. 2007/916 \(N.I.\) Sch. 8 Pt. 5](#)