



Road Traffic Act 1988

1988 CHAPTER 52

PART V

DRIVING INSTRUCTION

Licences

129 Licences for giving instruction so as to obtain practical experience

- (1) A licence under this section is granted for the purpose of enabling a person to acquire practical experience in giving instruction in driving motor cars with a view to undergoing such part of the examination referred to in section 125(3)(a) of this Act as consists of a practical test of ability and fitness to instruct.
- (2) Subject to subsection (3) below, where—
 - (a) a person applies to the Registrar in manner determined by the Secretary of State, accompanied by particulars so determined, and
 - (b) the Registrar is satisfied—
 - (i) that the applicant has passed the other parts of that examination, and
 - (ii) that the conditions set out in section 125(3)(b) to (e) of this Act are fulfilled in his case,the Registrar must, on payment of such fee, if any, as may be prescribed by regulations, grant to the applicant a licence to give paid instruction (within the meaning of section 123(1) and (2) of this Act) in the driving of a motor car.
- (3) The Registrar may refuse to grant a licence under this section to an applicant to whom such a licence has previously been issued.
- (4) The Registrar must, on making a decision on an application under subsection (2) above, give notice in writing of the decision to the applicant which, in the case of a decision to refuse the application, must state the grounds of the refusal.
- (5) A licence under this section shall be in such form, shall be in force for such period, and shall be granted subject to such conditions, as may be prescribed by regulations.

Status: This is the original version (as it was originally enacted).

- (6) Notwithstanding any provision of regulations made by virtue of subsection (5) above prescribing the period for which a licence is to be in force, where a person applies for a new licence in substitution for a licence held by him and current at the date of the application, the previous licence shall not expire—
- (a) until the commencement of the new licence, or
 - (b) if the Registrar decides to refuse the application, until the time limited for an appeal under the following provisions of this Part of this Act against the decision has expired and, if such an appeal is duly brought, it is finally disposed of.
- (7) Before deciding to refuse an application for a new licence in substitution for a licence current at the date of the application, the Registrar must give to the applicant written notice stating that he is considering the refusal and giving particulars of the grounds on which he is considering it.
- (8) Where the Registrar gives notice under subsection (7) above—
- (a) the applicant may, within the period of fourteen days beginning with the day on which the notice is given, make representations with respect to the proposed refusal, and
 - (b) the Registrar must not decide to refuse the application until after the expiration of that period, and
 - (c) before deciding whether or not to refuse the application, the Registrar must take into consideration any such representations made within that period.