
STATUTORY INSTRUMENTS

2005 No. 1902

The Motor Cars (Driving Instruction) Regulations 2005

PART 2

Examination of Ability to Give Instruction

General provisions

3.—(1) A person who desires to submit himself for any part of the examination shall supply the Registrar with such particulars as the Secretary of State may determine.

(2) The examination shall consist of—

- (a) the written examination;
- (b) the driving ability and fitness test; and
- (c) the instructional ability and fitness test.

(3) Where a person has passed the written examination (whether before or after these Regulations are made) he shall not be eligible to take it again during the following 2 years.

(4) Subject to the provisions of this regulation, a person shall be regarded as having passed the examination only if the following conditions are fulfilled in his case—

- (a) he has on the same day passed both the written examination and the element of the driving ability and fitness test that tests hazard perception;
- (b) he has passed the remaining elements of the driving ability and fitness test on his first, second or third attempt after he had passed the written examination and the element of the driving ability and fitness test that tests hazard perception;
- (c) within 2 years after passing the written examination and having passed all of the elements of the driving ability and fitness test he made an application to take the instructional ability and fitness test; and
- (d) he has passed the instructional ability and fitness test on his first, second or third attempt after he had passed the written examination and on a date appointed by the Registrar in respect of an application made in accordance with sub-paragraph (c).

(5) Where a person has—

- (a) passed the written examination before 14th November 2002;
- (b) passed the elements of the driving ability and fitness test, other than the test of hazard perception, on his first, second or third attempt after he had passed the written examination; and
- (c) fulfilled the conditions specified in sub-paragraphs (c) and (d) of regulation 3(4), he shall be regarded as having passed the examination.

(6) For the purposes of this regulation and regulation 13—

- (a) where a person has commenced the driving ability and fitness test or the instructional ability and fitness test and does not complete the test, the person shall be treated as having

failed the test in question unless the Registrar is satisfied that the person had a reasonable excuse for not completing that test;

(b) subject to sub-paragraph (c), a reference to the passing of the written examination or the driving ability and fitness test (including paragraph (4)(a)) shall, in relation to a person who has passed that examination or test (as the case may be) on more than one occasion, be read as a reference to the last of those occasions;

(c) if a person takes the written examination on an occasion when he is not eligible to take it he shall not in any circumstances be regarded as having passed on that occasion.

(7) For the purposes of this regulation a person shall be deemed to have made an application on the date that his application and the fee prescribed by these Regulations are received by the Registrar.