
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 542

**Motor Vehicles (Driving Licences)
Regulations (Northern Ireland) 1996**

Part III

Tests of Competence to Drive

Appointment of persons to conduct tests

Persons by whom theory tests may be conducted

19.—(1) Theory tests may be conducted by—

- (a) an appointed person;
- (b) the Department, in so far as concerns the testing of persons in the public service of the Crown;
- (c) the Secretary of State for Defence, in so far as concerns the testing of persons in the public service of the Crown;
- (d) subject to the approval of the Department, a person appointed by the Secretary of State for Defence to conduct theory tests on his behalf.

(2) An appointment made under paragraph (1)(a) may be made subject to such conditions as are, in the opinion of the Department, reasonably necessary in the general interests of candidates and where an appointed person fails to comply with such a condition the Department may appoint another person to carry out theory tests in substitution for that person notwithstanding that the first appointment has not been revoked.

(3) No person shall be eligible to appoint any person to conduct theory tests under the provisions of sub-paragraphs (c) or (d) of paragraph (1) unless, following an application made to the Department for the purpose of either of those sub-paragraphs, the Department is satisfied that—

- (a) proper arrangements will be made by that person, or by the members of that class, for the conduct of tests in accordance with these Regulations; and
- (b) proper records of such tests and the results thereof will be kept by him or them,

and has granted approval in writing, subject to such conditions as it thinks fit to impose.

(4) No person may be appointed under the provisions of paragraph (c) or (d) of paragraph (1) unless the person making the appointment has appointed a person to conduct practical tests under the provisions of regulation 18(1) and the Department has approved that appointment.

(5) A person may not conduct a test prescribed in respect of any category or sub-category of motor vehicle unless he is expressly appointed for the purpose of conducting such a test.

(6) No person appointed by virtue of sub-paragraph (c) or (d) of paragraph (1) may conduct tests unless the Department has given its approval in writing to his appointment and such approval shall be granted only if the Department is satisfied that the person is capable of making a proper

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assessment of a candidate's ability to drive vehicles of the class in respect of which he is appointed to conduct tests.