



# Road Traffic Act 1972

## 1972 CHAPTER 20

### PART V

#### DRIVING INSTRUCTION

#### 131 Licences

- (1) For the purpose of enabling a person to acquire practical experience in giving instruction in driving motor cars with a view to undergoing the examination referred to in section 128(1)(a) of this Act, the Registrar shall, subject to subsection (2) below, on application made to him by that person in manner determined by the Secretary of State, accompanied by particulars so determined and on payment of such fee, if any, as may be prescribed by regulations, grant to the applicant a licence to give instruction in the driving of a motor car, being instruction the giving of which is restricted by section 126 of this Act, if the Registrar is satisfied that the conditions set out in paragraphs (b), (c) and (d) of the said section 128(1) are fulfilled in the case of the applicant.
- (2) The Registrar may refuse to grant a licence under this section to an applicant to whom two or more such licences have previously been issued.
- (3) The Registrar shall, on making a decision on an application under subsection (1) above, give notice in writing of the decision to the applicant, which, in the case of a decision to refuse the application, shall state the grounds of the refusal.
- (4) A licence under this section shall be in such form, in force for such period, and granted subject to such conditions, as may be prescribed by regulations.
- (5) Notwithstanding any provision of regulations made under subsection (4) 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 until the commencement of the new licence, or, 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.

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

- (6) Before deciding to refuse an application for a new licence in substitution for a licence current at the date of the application, the Registrar shall 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; and 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 the Registrar shall not decide to refuse the application until after the expiration of the said period and, before deciding whether or not to do so, he shall take into consideration any such representations made within that period.
- (7) If a person to whom a licence under this section is granted fails to comply with any of the conditions subject to which it is granted, or if the Registrar is satisfied that, at any time since the licence was granted, any of the following conditions was fulfilled in the case of the said person, that is to say,—
- (a) that he held neither a current licence of a kind mentioned in sub-paragraph (i) of section 128(1)(b) of this Act nor one of a kind mentioned in sub-paragraph (ii) of the said section 128(1)(b); or
  - (b) that he was disqualified under section 93 of this Act or section 5 of the Road Traffic Act 1962 for holding or obtaining a licence to drive a motor vehicle under Part III of this Act or, as the case may be, Part II of the Road Traffic Act 1960; or
  - (c) that he ceased, apart from fulfilment of either of the foregoing conditions, to be a fit and proper person to have his name in the register;
- or if the licence was granted by mistake or procured by fraud, the Registrar may revoke the licence, but before doing so he shall give to the said person written notice stating that he is considering the revocation and giving particulars of the grounds on which he is considering it; and that person may, within the period of fourteen days beginning with the day on which the notice is given, make representations with respect to the proposed revocation; and the Registrar shall not decide to revoke the licence until after the expiration of the said period and, before deciding whether or not to do so, he shall take into consideration any such representations made within that period.
- (8) The Registrar shall, on making a decision to revoke a licence granted under this section, give notice in writing of the decision to the person concerned, and section 129(4) of this Act shall apply for the purpose of determining when (if at all) the decision takes effect as it does for the purpose of determining when (if at all) a decision to refuse an application under the said section 129(1) takes effect.