



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART V

#### DRIVING INSTRUCTION

##### *Licences*

#### **130 Revocation of licences.**

- (1) The registrar may revoke a licence granted under section 129 of this Act—
- if the person to whom the licence was granted fails to comply with any of the conditions subject to which it was granted, or
  - if the Registrar is satisfied that, at any time since the licence was granted, any of the [<sup>F1</sup>relevant conditions] was fulfilled in his case, or
  - if the licence was granted by mistake or procured by fraud.
- (2) [<sup>F2</sup>Except in the case of a licence granted by virtue of subsection (2)(b) of section 129 of this Act, the relevant conditions are]—
- that he held [<sup>F3</sup>none] of the kinds of current licence mentioned in section 125 (3)(b) of this Act, or
  - that he was disqualified under section 34 or 36 of the <sup>M1</sup>Road Traffic Offenders Act 1988 for holding or obtaining a licence to drive a motor vehicle under Part III of this Act, or
  - that he ceased, apart from fulfilment of either of the preceding conditions, to be a fit and proper person to have his name in the register.
- [<sup>F4</sup>(2A) In the case of a licence granted by virtue of subsection (2)(b) of section 129 of this Act, the relevant conditions are—
- that he did not hold a current emergency control certificate, or
  - that he did not hold a current disabled person's limited driving licence, or
  - that he was disqualified under section 34 or 36 of the Road Traffic Offenders Act 1988 for holding or obtaining a licence to drive a motor vehicle under Part III of this Act, or

*Status: Point in time view as at 01/04/1999. This version of this provision has been superseded.*

*Changes to legislation: Road Traffic Act 1988, Section 130 is up to date with all changes known to be in force on or before 21 June 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)*

- (d) that he ceased, apart from fulfilment of any of the preceding conditions, to be a fit and proper person to have his name in the register as that of a disabled instructor.]
- (3) Before revoking a licence granted to a person under this section the Registrar must give him written notice stating that he is considering the revocation and giving particulars of the grounds on which he is considering it.
- (4) Where the Registrar gives notice to a person under subsection (3) above—
- (a) 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
  - (b) the Registrar must not decide to revoke the licence until after the expiration of that period, and
  - (c) before deciding whether or not to revoke the licence, the Registrar must take into consideration any such representations made within that period.
- (5) The Registrar must, on making a decision to revoke a licence granted under this section, give notice in writing of the decision to the person concerned.
- (6) A decision to revoke a licence granted under this section shall take effect—
- (a) where no appeal under the following provisions of this Part of this Act is brought against the decision within the time limited for the appeal, on the expiration of that time,
  - (b) where such an appeal is brought and is withdrawn or struck out for want of prosecution, on the withdrawal or striking out of the appeal,
  - (c) where such an appeal is brought and not withdrawn or struck out for want of prosecution, if and when the appeal is dismissed, and not otherwise.

#### Textual Amendments

- F1** Words in s. 130(1)(b) substituted (9.9.1996) by 1993 c. 31, s. 6, **Sch. para. 7(2)**; S.I. 1996/1980, **art. 2**
- F2** Words in s. 130(2) substituted (9.9.1996) by 1993 c. 31, s. 6, **Sch. para. 7(3)**; S.I. 1996/1980, **art. 2**
- F3** Word in s. 130(2)(a) substituted (1.4.1999) by S.I. 1999/357, **reg. 2(4)**
- F4** S. 130(2A) inserted (9.9.1996) by 1993 c. 31, s. 6 **Sch. para. 7(4)**; S.I. 1996/1980, **art. 2**

#### Modifications etc. (not altering text)

- C1** S. 130 excluded (23.6.1999) by S.I. 1999/1736, **art. 8(1)(b)(2)(b)**
- C2** S. 130(2)(b) extended by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 5, **Sch. 4 para. 7(2)**

#### Marginal Citations

- M1** 1988 c. 53.

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