
STATUTORY INSTRUMENTS

1981 No. 1694

The Motor Vehicles (Tests) Regulations 1981

PART II

AUTHORISED EXAMINERS

Termination of authorisations

- 10.**—(1) An authorisation of an individual as an examiner terminates if he—
- (a) dies; or
 - (b) is adjudged bankrupt or, in Scotland, has his estate sequestrated; or
 - (c) becomes a patient within the meaning of Part VIII of the Mental Health Act 1959 or, in Scotland, becomes incapable of managing his own affairs.
- (2) An authorisation as an examiner of persons in partnership terminates if the firm is dissolved.
- (3) An authorisation as an examiner of a company terminates if in relation to the company—
- (a) a winding-up order is made;
 - (b) a resolution for voluntary winding-up is passed;
 - (c) a receiver or manager of the body's undertaking is appointed; or
 - (d) the taking of possession, by or on behalf of the holders of any debenture secured by a floating charge, or of any property of the body comprised in or subject to the charge, occurs.
- (4) An examiner may at any time give notice to the Secretary of State stating that after such date as may be specified in the notice that examiner does not propose to continue to act as an examiner under any of the authorisations of that examiner or under such authorisation as may be specified in the notice, and any authorisation to which the said notice relates shall cease to have effect on the date so specified in relation to it.
- (5) The Secretary of State may at any time give to an examiner a notice which states—
- (a) that as from a date specified in the notice such one or more of the authorisations of the examiner as are specified in the notice shall, unless the notice is cancelled before that date, cease;
 - (b) in a case where the date on which the authorisation or authorisations shall cease is less than 28 days from the date of the notice, that the Secretary of State considers it necessary that the notice shall have early effect; and
 - (c) that within 14 days from the date of the notice the examiner (or any person acting on his behalf) may make to the Secretary of State, at an address specified in the notice, written representations to the effect that any authorisation to which that notice relates should not cease or should be restored.
- (6) An authorisation in respect of which a notice is given in accordance with paragraph (5) shall, save as provided in paragraph (5)(a), cease on the date specified in the notice as the date on which the authorisation shall cease.