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## STATUTORY INSTRUMENTS

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# 2016 No. 1089

## The Driving and Motorcycle Riding Instructors (Recognition of European Professional Qualifications) Regulations 2016

### Citation and Commencement

1. These Regulations may be cited as the Driving and Motorcycle Riding Instructors (Recognition of European Professional Qualifications) Regulations 2016 and come into force on 9th December 2016.

#### Commencement Information

II Reg. 1 in force at 9.12.2016, see [reg. 1](#)

### Amendment of the Road Traffic Act 1988

2.—(1) Until the commencement of Schedule 6 to the Road Safety Act 2006<sup>(1)</sup>, Part 5 of the Road Traffic Act 1988 (driving instruction) has effect as if it were amended as follows.

(2) In section 123(1) (driving instruction for payment to be given only by registered or licensed persons)<sup>(2)</sup>—

- (a) in paragraph (a), after “is in” insert “Part 1 of”,
- (b) omit the “or” at the end of that paragraph, and
- (c) after that paragraph insert—

“(aa) the name of the person giving the instruction is in Part 2 of the register, the registration is not suspended and the instruction is being given in accordance with a right conferred by Part 2 of the European Union (Recognition of Professional Qualifications) Regulations 2015 (S.I. 2015/2059), or”.

(3) After section 123(6) insert—

“(6A) A person is not guilty of an offence under subsection (6) if—

- (a) the person proves that the instruction was given in accordance with a right conferred on the person by Part 2 of the European Union (Recognition of Professional Qualifications) Regulations 2015 (S.I. 2015/2059), and
- (b) the person had not received the certificate mentioned in subsection (2)(a).”.

(4) In section 125 (the register of approved instructors)<sup>(3)</sup>—

- (a) after subsection (1) insert—

“(1A) The register is to be in two Parts as follows—

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(1) 2006 c.49.

(2) Section 123 was amended by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c.31), the Schedule, paragraph 2 and by the Driving Instruction (Suspension and Exemption Powers) Act 2009 (c.17), Schedule 1, paragraph 2.

(3) Section 125 was amended by the Deregulation Act 2015 (c.20), Schedule 2, Part 2, paragraphs 16 and 17, and by S.I. 1999/357 and S.I. 2015/583.

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- (a) Part 1 is to contain the names of persons required to be entered in it by subsection (3) (persons who have satisfied the conditions specified in that subsection), and
  - (b) Part 2 is to contain the names of persons required to be entered in it by subsection (4A)(a) (persons entitled to give instruction on a temporary and occasional basis).
- (b) in subsection (2), after “name in” insert “either Part of”,
- (c) in subsection (2A), after “applicant” insert “for registration in Part 1 of the register”,
- (d) in subsection (2C), after “applicant” insert “for registration in Part 1 of the register”,
- (e) in subsection (3)—
- (i) after “of his name in” insert “Part 1 of”, and
  - (ii) after “enter his name in” insert “that Part of”,
- (f) after subsection (3) insert—
- “(3A) Where the Registrar is satisfied that a person who has applied under subsection (3) is entitled to give paid instruction in the driving of motor cars by virtue of Part 3 of the European Union (Recognition of Professional Qualifications) Regulations 2015 ([S.I. 2015/2059](#))—
- (a) the Registrar may not impose a requirement on the applicant under subsection (2C) if the Registrar is satisfied that the applicant holds a current certificate or other document that, under the law of the State that is the applicant’s home State for the purposes of those regulations, is of corresponding effect to an emergency control certificate, and
  - (b) subsection (3)(a) does not apply in relation to the applicant.”, and
- (g) after subsection (4) insert—
- “(4A) Where a person submits a declaration to the Registrar, or to the appropriate Northern Ireland officer, in accordance with regulations 15 and 16 of the European Union (Recognition of Professional Qualifications) Regulations 2015 ([S.I. 2015/2059](#)) that entitles the person to give paid instruction in the United Kingdom in the driving of a motor car on a temporary and occasional basis—
- (a) the Registrar must enter the person’s name in Part 2 of the register, and
  - (b) until the Registrar has complied with paragraph (a), the person’s name is to be treated for the purposes of section 123(1)(aa), subsection (5)(b) of this section and section 135 as being in Part 2 of the register.
- (4B) In subsection (4A) “appropriate Northern Ireland officer” means the officer referred to in Article 51(2) of the Road Traffic (Northern Ireland) Order 2007 ([S.I. 2007/916 \(N.I. 10\)](#)).”.
- (5) In section 126 (duration of registration)(4)—
- (a) in subsection (1), after “removed from” insert “Part 1 of”, and
  - (b) after subsection (3) insert—
- “(3A) Unless previously removed under the following provisions of this Part of this Act, the name of a person shall be removed from Part 2 of the register if the declaration or renewal under regulation 15 of the European Union (Recognition of Professional

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(4) Section 126(4) was inserted by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 ([c.31](#)), section 6 and then repealed by the Deregulation Act 2015 ([c.20](#)), Schedule 2, Part 2, paragraphs 16 and 19.

Qualifications) Regulations 2015 (S.I. 2015/2059) by virtue of which the name of the person was entered in the register is not renewed within one year of being made.”.

- (6) In section 127 (extension of duration of registration)(5)—
- (a) in subsection (1), after “removed from” insert “Part 1 of”, and
  - (b) in subsection (2), after “retained in” insert “Part 1 of”.
- (7) In section 128 (removal of names from register)(6)—
- (a) in subsection (1), after “person from” insert “Part 1 of”,
  - (b) after that subsection insert—
    - “(1A) The Registrar may remove the name of a person from Part 2 of the register if satisfied that—
      - (a) in a case where the declaration by virtue of which the person’s name was entered in the register has not been renewed, at any time since that declaration was made, and
      - (b) in a case where the declaration has been renewed, at any time since it was last renewed,    - any of the relevant conditions, or the additional condition, was fulfilled in the person’s case.
  - (c) after subsection (2) insert—
    - “(2B) The additional condition is that the person was not entitled to give paid instruction in the driving of a motor car on a temporary and occasional basis by virtue of Part 2 of the European Union (Recognition of Professional Qualifications) Regulations 2015 (S.I. 2015/2059).”, and
  - (d) in subsection (8)—
    - (i) after “removed from”, in both places where it occurs, insert “Part 1 of”, and
    - (ii) after “again in” insert “that Part of”.
- (8) In section 131(4)(b)(7) (appeals), after “entered in” insert “Part 1 of”.
- (9) In section 135 (power to prescribe form of certificate of registration etc)—
- (a) in subsection (2)—
    - (i) after “is not in” insert “Part 1 of”,
    - (ii) in paragraph (a), after “section” insert “for use by persons whose names are in that Part of the register”,
    - (iii) in paragraph (c), after “is in” insert “that Part of”, and
    - (iv) after “was not in” insert “that Part of”,
  - (b) after that subsection insert—
    - “(2A) If a person whose name is not in Part 2 of the register—
      - (a) wears or displays a badge or certificate prescribed under this section for use by persons whose names are in that Part of the register, or

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(5) Section 127 was amended by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c.31), the Schedule, paragraph 5, the Transport Act 2000 (c.38), section 259(1), the Driving Instruction (Suspension and Exemption Powers) Act 2009 (c.17), Schedule 1, paragraph 3, and the Deregulation Act 2015 (c.20), Schedule 2, Part 2, paragraphs 16 and 20.

(6) Section 128 was amended by the Road Traffic (Driving Instruction by Disabled Persons) Act 1993 (c.31), the Schedule, paragraph 6, the Transport Act 2000 (c.38), section 259(2), the Driving Instruction (Suspension and Exemption Powers) Act 2009 (c.17), Schedule 1, paragraph 1, the Deregulation Act 2015 (c.20), Schedule 2, Part 1, paragraphs 1 and 8, and Part 2, paragraphs 16 and 21 and by S.I. 1991/1129 and S.I. 1999/357.

(7) Section 31, was amended by the Transport Act 2000 (c.38), sections 258, 259, 260 and 274 and by S.I. 2009/1885.

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(b) takes or uses any name, title, addition or description implying that his or her name is in that Part of the register,

he or she is guilty of an offence unless he or she proves that he or she did not know, and had no reasonable cause to believe, that his or her name was not in that Part of the register at the material time.”, and

(c) for subsection (3) substitute—

“(3) If P uses, in relation to any person employed by P whose name is not in Part 1 of the register,

(a) a title or description prescribed under this section for use by persons whose names are in that Part of the register, or

(b) a name, title, addition or description implying that the person’s name is in that Part of the Register,

P is guilty of an offence unless P proves that P did not know, and had no reasonable cause to believe, that the person’s name was not in that Part of the register at the material time.

(4) If P uses, in relation to any person employed by P whose name is not in Part 2 of the register, a name, title, addition or description implying that the person’s name is in that Part of the register, P is guilty of an offence unless P proves that P did not know, and had no reasonable cause to believe, that the person’s name was not in that Part of the register at the material time.

(5) If P issues any advertisement or invitation calculated to mislead with respect to the extent to which persons employed by P are registered under this Part, P is guilty of an offence unless P proves that P did not know, and had no reasonable cause to believe, that the advertisement or invitation was misleading in that respect at the time it was issued.

(6) In this section “P” means a person carrying on business in the provision of instruction in the driving of motor vehicles.”.

**3.—**(1) Immediately after section 1 of the Driving Instructors (Registration) Act 2016<sup>(8)</sup> comes into force, section 126A (re-entry in the register following expiry of registration)<sup>(9)</sup> of the Road Traffic Act 1988 is amended as follows.

(2) In the heading, after “Re-entry in” insert “Part 1 of”.

(3) In subsection (1)—

(a) after “removed from” insert “Part 1 of”, and

(b) after “entered again in” insert “that Part of”.

**4.—**(1) Immediately after section 2 of the Driving Instructors (Registration) Act 2016 comes into force the Road Traffic Act 1988 is amended as follows.

(2) In section 128AZA (voluntary removal from the register)<sup>(10)</sup>—

(a) in the heading, after “removal from” insert “Part 1 of”,

(b) in subsection (1), after “name from” insert “Part 1 of”, and

(c) in subsection (4), after “name in” insert “Part 1 of”.

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<sup>(8)</sup> 2016 c. 16.

<sup>(9)</sup> Section 126A is prospectively inserted into the Road Traffic Act 1988 by section 1 of the Driving Instructors (Registration) Act 2016.

<sup>(10)</sup> Section 128AZA is prospectively inserted into the Road Traffic Act 1988 by section 1 of the Driving Instructors (Registration) Act 2016.

- (3) In section 128AZB (re-entry in the register following voluntary removal)(**11**)—
- (a) in the heading, after “re-entry in” insert “Part 1 of”,
  - (b) in subsection (1)—
    - (i) after “removed from” insert “Part 1 of”, and
    - (ii) after “entered again in” insert “that Part of”.

5. On the day on which these Regulations come into force, the register previously compiled and maintained under section 125 of the Road Traffic Act 1998 becomes Part 1 of the register compiled and maintained under that section.

#### Commencement Information

- I2** Reg. 2 in force at 9.12.2016, see [reg. 1](#)
- I3** Reg. 3 in force at 9.12.2016, see [reg. 1](#)
- I4** Reg. 4 in force at 9.12.2016, see [reg. 1](#)
- I5** Reg. 5 in force at 9.12.2016, see [reg. 1](#)

#### Amendment of the Motor Vehicles (Driving Licences) Regulations 1999

- 6.—(1) The Motor Vehicles (Driving licences) Regulations 1999(**12**) are amended as follows.
- (2) In regulation 16 (conditions attached to provisional licences)—
- (a) in paragraph (2)(a), after “qualified driver” insert “, or driving instructor,”, and
  - (b) in paragraph (13), before sub-paragraph (a) insert—
    - “(za) “driving instructor” means a person whose name is entered in either part of the register established under section 123 of the Traffic Act(**13**).”.
- (3) In regulation 60 (certified instructors)—
- (a) in paragraph (1), for “61” substitute “60A”,
  - (b) after paragraph (3) insert—
    - “(3A) A person does not have to satisfy the conditions mentioned in paragraph (3)(c) and (d) if that person is entitled to give paid instruction in the riding of A1 motorcycles and mopeds by virtue of Part 3 of the European Union (Recognition of Professional Qualifications) Regulations 2015 (**14**).”.
  - (c) at the end of paragraph (9) insert “, and includes a person in respect of whom there is in force a valid certificate issued under regulation 60A(3)(c)”.
- (4) After regulation 60 (certified instructors), insert—

#### “Temporary certified instructors

**60A.**—(1) Subject to paragraph (3), an approved training body may authorise a person who satisfies the condition set out in paragraph (2) to conduct on his behalf instruction of persons in the riding of A1 motorcycles and mopeds.

(2) The condition referred to in paragraphs (1) and (5) is that the person has made a declaration to the Secretary of State or to the appropriate Northern Ireland officer, in

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(11) Section 128AZB is prospectively inserted into the Road Traffic Act 1988 by section 1 of the Driving Instructors (Registration) Act 2016.

(12) [S.I. 1999/2864](#); relevant amending instruments are [S.I. 2000/2766](#), [S.I. 2001/53](#), [S.I. 2003/222](#) and [S.I. 2012/977](#).

(13) [1998 c.52](#).

(14) [S.I. 2015/2059](#).

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accordance with regulations 15 and 16 of the European Union (Recognition of Professional Qualifications) Regulations 2015, that entitles the person to give paid instruction in the United Kingdom in the riding of A1 motorcycles and mopeds on a temporary and occasional basis.

- (3) An authorisation given to a person under paragraph (1) shall be of no effect unless—
- (a) the approved training body has notified the Secretary of State in writing of the proposed authorisation,
  - (b) the Secretary of State has approved the authorisation in writing, and
  - (c) there is in force in respect of that person a valid certificate, in the form set out in Part 4 of Schedule 13, issued by the Secretary of State to the approved training body giving the authorisation.
- (4) A person in respect of whom a certificate issued under paragraph (3)(c) is in force —
- (a) shall be known by the official title used in the State that is the person's home State for the purposes of the European Union (Recognition of Professional Qualifications) Regulations 2015,
  - (b) shall be entitled to conduct approved training courses, and
  - (c) in the case of a person who has successfully completed the Secretary of State's assessment course for certified instructors, shall be entitled to train other persons and to assess their capability to act as certified instructors.

(5) Where a person who is an approved training body satisfies the condition set out in paragraph (2), the Secretary of State may issue a certificate in respect of that person under paragraph (3)(c) and while that certificate is in force he or she—

- (a) shall be known by the official title used in the State that is the person's home State for the purposes of the European Union (Recognition of Professional Qualifications) Regulations 2015,
- (b) shall be entitled to conduct approved training courses, and
- (c) in the case of a person who has successfully completed the Secretary of State's assessment course for certified instructors, shall be entitled to train other persons and to assess their capability to act as certified instructors.

(6) A certificate issued pursuant to paragraph (3)(c) shall be valid for a period of one year from the date the declaration under regulation 15 of the European Union (Recognition of Professional Qualifications) Regulations 2015 is made, but may be renewed upon application being made to the Secretary of State by the approved training body who authorised the instructor, or who is the instructor, where the instructor has renewed his or her declaration within one year of being made in accordance with regulations 15 and 16 of those Regulations.

(7) A certificate issued pursuant to paragraph (3)(c) ceases to be valid if the instructor ceases to be entitled under Part 2 of the European Union (Recognition of Professional Qualifications) Regulations 2015 to give paid instruction in the riding of A1 motorcycles and mopeds on a temporary and occasional basis.

(8) Where a certificate issued pursuant to paragraph (3)(c) ceases to be valid the instructor must as soon as reasonably practicable return the certificate issued under paragraph (3)(c) and all forms of certificates which were supplied to that person under regulation 68(3) to the approved training body who gave the authorisation who must, on receiving the certificate issued under paragraph (3)(c), return it to the Secretary of State.

(9) When conducting an approved training course an instructor must carry with him or her the certificate issued in respect of that person under paragraph (3)(c) and must, upon being required to do so by a constable or the Secretary of State, produce it for examination.

- (10) In this regulation and regulation 65A “appropriate Northern Ireland officer” means the officer referred to in Article 51(2) of the Road Traffic (Northern Ireland) Order 2007 (15).”
- (5) In regulation 62 (withdrawal of approval to provide training courses or to act as an instructor)
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- (a) in paragraph (1), after “60(4)(b)” insert “or 60A(3)(b),”, and
- (b) in paragraph (3)—
- (i) after “60(4)(b)” insert “or 60A(3)(b),”, and
- (ii) in sub-paragraph (b), after each reference to “60(4)(c)” insert “or 60A(3)(c)”.
- (6) In regulation 63 (cessation of conduct of training)—
- (a) in paragraph (1)—
- (i) after “60(2)” insert “or 60A(1)”, and
- (ii) after each reference to “60(4)(c)” insert “or 60A(3)(c)”, and
- (b) in paragraph (2)—
- (i) after “60(6)” insert “or 60A(5)”, and
- (ii) after “60(4)(c)” insert “or 60A(3)(c)”.
- (7) At the end of regulation 64(2) (approved training courses conducted by certified direct access instructors) insert “or 65A”.
- (8) After regulation 65(3) (certified direct access instructors) insert—
- “(3A) A person shall be exempt from the conditions set out in paragraph (2)(b) and (d) and paragraph (3)(a) if that person is entitled to give paid instruction in the riding of A2 motorcycles or A3 motorcycles by virtue of Part 3 of the European Union (Recognition of Professional Qualifications) Regulations 2015.”.
- (9) After regulation 65 (certified direct access instructors) insert—

**“Temporary certified direct access instructors**

**65A.**—(1) Subject to paragraphs (3) and (4), an approved training body may authorise a person who satisfies the condition set out in paragraph (2) to conduct on his behalf instruction of persons who hold provisional licences authorising the riding of A2 or A3 motorcycles in the riding of A2 or A3 motorcycles, as appropriate.

(2) The condition referred to in paragraph (1) is that the person has made a declaration to the Secretary of State or to the appropriate Northern Ireland officer, in accordance with regulations 15 and 16 of the European Union (Recognition of Professional Qualifications) Regulations 2015, that entitles the person to give paid instruction in the United Kingdom in the riding of A2 or A3 motorcycles on a temporary and occasional basis.

(3) An authorisation given under paragraph (1) shall be of no effect unless—

(a) the approved training body has notified the Secretary of State in writing of the proposed authorisation, and

(b) the Secretary of State has approved the authorisation in writing.

(4) An authorisation given under paragraph (1) shall be of no effect unless there is in force in respect of that person a valid certificate, in the form set out in Part 5 of Schedule 13, issued by the Secretary of State to the approved training body giving the authorisation.

(5) A person in respect of whom a certificate issued under paragraph (4) is in force —

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- (a) shall be known by the official title used in the State that is the person's home State for the purposes of the European Union (Recognition of Professional Qualifications) Regulations 2015, and
- (b) shall be entitled to conduct approved training courses for persons holding a provisional licence authorising the driving of A2 or A3 motorcycles and undertaken by them on an A2 or A3 motorcycle, as appropriate.

(6) The Secretary of State may at any time by notice in writing withdraw an approval given under paragraph (3)(b) and any authorisation given under paragraph (1) shall cease to have effect from the date of such notice.

(7) A certificate issued pursuant to paragraph (4) ceases to be valid if the instructor ceases to be entitled under Part 2 of the European Union (Recognition of Professional Qualifications) Regulations 2015 to give paid instruction in the riding of A2 and A3 motorcycles on a temporary and occasional basis.

(8) Where—

- (a) a person who is an approved training body satisfies the condition set out in paragraph (2), and
- (b) there is in force in respect of that training body a valid certificate issued by the Secretary of State under paragraph (4),

he shall be deemed to have been authorised under paragraph (1).

(9) Regulations 60A(6) and (9), 62(3) and 63 shall apply in respect of a person authorised under paragraph (1) as they apply in respect of a certified instructor as if the references therein to the issue of certificates and the giving or withdrawal of approval were references to the issue of certificates and the giving or withdrawal of approval under this regulation.

(10) Where an authorisation given, or deemed to be given, under paragraph (1) of this regulation ceases to have effect by virtue of any of the foregoing provisions of this regulation that instructor shall as soon as is reasonably practicable return the certificate issued under paragraph (4) to the approved training body who must, on receiving it, return it immediately to the Secretary of State.”.

(10) After Regulation 69 (exemptions from Part V) insert—

**“Review of Part V**

**69A.**—(1) The Secretary of State must from time to time—

- (a) carry out a review of regulations 58 to 69,
- (b) set out the conclusions of the review in a report, and
- (c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Directive (to the extent to which it is implemented by these Regulations) is implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by regulations 58 to 69,
- (b) assess the extent to which those objectives are achieved, and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published by 9th December 2021.

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(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.

(6) In this regulation “the Directive” means [Directive 2005/36/EC](#) of the European Parliament and of the Council on the recognition of professional qualifications **(16)**.”.

(11) In Schedule 13 (approved motor bicycle training courses: forms of certificate)—

(a) in the references at the heading to the Schedule, for “Regulations 60, 65 and 68” substitute “Regulations 60, 60A, 65, 65A and 68”, and

(b) after Part 3, insert Parts 4 and 5 as set out in Schedule 1 to these Regulations.

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**Commencement Information**

**16** Reg. 6 in force at 9.12.2016, see [reg. 1](#)

**Amendment of the Motor Cars (Driving Instruction) Regulations 2005**

7.—(1) The Motor Cars (Driving Instruction) Regulations 2005**(17)** are amended as follows.

(2) In regulation 2(1) (interpretation), in the definition of “approved driving instructor”, after “entered in” insert “Part 1 of”.

(3) In regulation 9(1) (additional conditions for entry of name on register), for “the name of a person in the register” substitute “in Part 1 of the register the name of a person who is required to pass the examination”.

(4) In regulation 11(1) (additional condition for retention of names on the register), after “person in” insert “Part 1 of”.

(5) In regulation 17(1) (fees), in column (2) of the Table in paragraph (1)—

(a) in item 6, after “name in” insert “Part 1 of”,

(b) in item 8, after “Entry to” insert “Part 1 of”, and

(c) in item 9—

(i) after “Entry to” insert “Part 1 of”, and

(ii) for “125(7)” substitute “125(3A)(b) or (7)”.

(6) In regulation 18 (official title of registered person and certificate of registration)—

(a) at the end of the heading insert “: Part 1”,

(b) in paragraph (1), after “are in” insert “Part 1 of”, and

(c) in paragraph (2), after “are in” insert “Part 1 of”.

(7) After regulation 18 insert—

**“Official title of registered person and certificate of registration: Part 2**

**18A.**—(1) The official title for use by a person whose name is in Part 2 of the register shall be the title used in the State that is the person’s home State for the purposes of the European Union (Recognition of Professional Qualifications) Regulations 2015**(18)**.

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**(16)** OJ No L 255, 30.9.2005, p. 22. The Directive was amended by [Directive 2013/55/EU](#); there are other amending measures but none is relevant.

**(17)** [S.I. 2005/1902](#); relevant amending instruments are [S.I. 2005/2716](#), [S.I. 2008/419](#), [S.I. 2014/480](#), [S.I. 2014/1816](#) and [S.I. 2015/952](#).

**(18)** [S.I. 2015/2059](#).

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(2) The certificate for issue to persons whose names are in Part 2 of the register, as evidence of their names being therein, shall be in the form set out in Schedule 5A to these Regulations.”.

(8) In regulation 19 (form of badge)—

(a) in the heading after “Form of badge” insert “: Part 1”, and

(b) after “are in” insert “Part 1 of”.

(9) After regulation 19 insert—

**“Form of badge: Part 2**

**19A.** The badge for use by persons whose names are in Part 2 of the register as evidence of their names being therein shall be in the form set out in Schedule 6A to these Regulations.”.

(10) After regulation 22 (revocations and transitional provisions) insert—

**“Review**

**23.—**(1) The Secretary of State must from time to time—

(a) carry out a review of these Regulations,

(b) set out the conclusions of the review in a report, and

(c) publish the report.

(2) In carrying out the review, the Secretary of State must, as far as is reasonable, have regard to how the Directive (to the extent to which it is implemented by these Regulations) is implemented in other member States.

(3) The report must in particular—

(a) set out the objective intended to be achieved by the regulatory system established by these Regulations,

(b) assess the extent to which those objectives are achieved, and

(c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published by 9th December 2021.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.

(6) In this regulation “the Directive” means [Directive 2005/36/EC](#) of the European Parliament and of the Council on the recognition of professional qualifications(19).”.

(11) In Schedule 5 (forms of certificate), for the heading “Forms of Certificate” substitute “Form of Certificate: PART 1”.

(12) After Schedule 5, insert the Schedule set out in Schedule 2 to these Regulations.

(13) In Schedule 6 (form of badge), for the heading “Form of Badge” substitute “Form of Badge: PART 1”.

(14) After Schedule 6, insert the Schedule set out in Schedule 3 to these Regulations.

**Commencement Information**

**I7** Reg. 7 in force at 9.12.2016, see [reg. 1](#)

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(19) OJ No L 255, 30.9.2005, p. 22. The Directive was amended by [Directive 2013/55/EU](#); there are other amending measures but none is relevant.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Driving and Motorcycle Riding Instructors (Recognition of European Professional Qualifications) Regulations 2016*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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Signed by authority of the Secretary of State for Transport

14th November 2016

*Andrew Jones*  
Parliamentary Under Secretary of State  
Department for Transport

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Driving and Motorcycle Riding Instructors (Recognition of European Professional Qualifications) Regulations 2016. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- reg. 2(2) omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(a)
- reg. 2(3) omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(b)
- reg. 2(4)(a)-(e) omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(c)(i)
- reg. 2(4)(g) omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(c)(ii)
- reg. 2(5) omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(d)
- reg. 2(6) omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(e)
- reg. 2(7) omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(f)
- reg. 2(8) substituted by S.I. 2023/1286 Sch. 3 para. 97(2)(b)
- reg. 2(9)(a)(b) omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(g)(i)
- reg. 2(9)(c) words omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(g)(ii)(aa)
- reg. 2(9)(c) words omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(g)(ii)(bb)
- reg. 2(9)(c) words omitted by S.I. 2023/1286 Sch. 4 para. 7(2)(g)(iii)
- reg. 3 omitted by S.I. 2023/1286 Sch. 4 para. 7(3)
- reg. 4 omitted by S.I. 2023/1286 Sch. 4 para. 7(3)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 2(4)(fa) inserted by S.I. 2023/1286 Sch. 3 para. 97(2)(a)