

Road Traffic (Driving Instruction) Act 1967

1967 CHAPTER 79

An Act to provide for the registration of persons engaged in giving instruction in the driving of motor vehicles and for connected purposes. [27th July 1967]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Driving instruction for payment to be given only by registered or licensed persons.

1.—(1) No instruction, for the giving of which payment of money or money's worth is, or is to be, made by, or in respect of, the person to whom the instruction is given, shall be given in the driving of a motor car unless the name of the person giving the instruction is in the register of approved instructors established in pursuance of section 23 of the 1962 Act (hereafter in this Act referred to as "the register") or he is the holder of a current licence granted under this Act authorising him to give such instruction.

(2) Instruction in the driving of a motor car, being instruction which is given free of charge, to a person who is not the holder of a current licence to drive a motor vehicle granted under Part II of the 1960 Act (other than a provisional licence within the meaning of that Part), by, or in pursuance of arrangements made by, a person carrying on business in the supply of motor cars, and in connection with the supply of a motor car in the course of that business, shall, for purposes of the foregoing subsection, be deemed to be given for payment of money by the person to whom the instruction is given.

(3) If instruction is given in contravention of subsection (1) above, the person by whom it is given, and, if that person is employed by another to give that instruction, that other, as

well as that person, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £100, or to imprisonment for a term not exceeding four months or to both.

(4) In proceedings against a person for an offence under the last foregoing subsection, it shall be a defence for him to prove that he did not know, and had no reasonable cause to believe, that his name or, as the case may be, that of the person employed by him, was not in the register at the material time.

Exemption of police instructors from prohibition imposed by section 1 of this Act.

2.—(1) Subsection (1) of section 1 of this Act shall not apply to the giving of instruction by a police instructor in pursuance of arrangements made by a chief officer of police or, under the authority of a chief officer of police, in pursuance of arrangements made by a local authority.

(2) In this section—

" police instructor " means a person who is—

(*a*) a member of a police force whose duties consist of or include, or have consisted of or included, the giving of instruction in the driving of motor cars to persons being members of a police force ; or

(*b*) a civilian employed by a police authority for the purpose of giving such instruction to such persons ;

" local authority " means the council of a county, county borough or county district, the Greater London Council, the council of a London borough or the Common Council of the City of London.

(3) In the application of subsection (2) above to the metropolitan police, for the reference to a civilian employed by a police authority, there shall be substituted a reference to a civilian employed under the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District.

(4) In the application of this section to Scotland—

(*a*) in subsection (1), the references to a chief officer of police shall be construed as references to a chief constable ;

(*b*) " local authority " means a county council or the town council of a burgh.

The register and registration and duration thereof.

3.—(1) The compilation and maintenance of the register shall continue by virtue of this Act, and an application for the entry of a person's name in the register shall be made, in manner determined by the Minister, accompanied by particulars so determined, to the officer of the Minister by whom, on behalf

of the Minister, the register is compiled and maintained (hereafter in this Act referred to as " the Registrar "); and the Registrar shall, on payment of such fee, if any, as may be prescribed by regulations, enter in the register the name of a person who duly applies for the entry of his name therein if that person satisfies the Registrar that the following conditions are fulfilled in his case, that is to say,—

(*a*) that he has passed such examination of ability to give instruction in the driving of motor cars as may be so prescribed;

(*b*) that he is the holder of a current licence of one of the following kinds, that is to say,—

(i) a licence to drive a motor vehicle granted under Part II of the 1960 Act (not being a provisional licence within the meaning of the said Part II); and

(ii) a licence to drive a motor vehicle (not being a licence corresponding to such a provisional licence as aforesaid) granted under the law in force in Northern Ireland;

and, at no time during the period of four years ending with the day on which the application is made, did he not hold one or other of the following licences, namely a current licence of one of the kinds aforesaid and a current foreign licence, that is to say a document issued under the law of a country outside the United Kingdom authorising the holder to drive a motor vehicle in that country;

(*c*) that he has not, during any part of the said period, been disqualified under section 5 of the 1962 Act for holding or obtaining a licence to drive a motor vehicle granted under the said Part II; and

(*d*) that, apart from fulfilment of the foregoing conditions, he is a fit and proper person to have his name entered in the register.

(2) The entry of a person's name in the register shall be subject to the condition that, so long as the name is therein, that person will, if at any time required by the Registrar, undergo the test prescribed by regulations of continued ability and fitness to give instruction in the driving of motor cars.

(3) Regulations may provide that persons of such class as may be specified therein shall be exempt from the condition mentioned in paragraph (*a*) of subsection (1) above as regards such part of the examination mentioned in that paragraph as may be so specified.

(4) If the Minister is satisfied that satisfactory provision is made by the law of Northern Ireland for the establishment of a register containing the names of persons qualified under that law to give instruction in the driving of motor cars, a person who satisfies the Registrar that his name is in the register established under that law and that he is resident in Great Britain shall be exempt from the condition specified in paragraph (*a*) of subsection (1) above.

(5) 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 for the refusal.

(6) Unless previously removed under the following provisions of this Act, the name of a person shall be removed from the register at the end of the period of four years beginning with the first day of the month next after that in which the entry of the name was made, but if an application for the retention of the name in the register is made under the next following section before the end of that period, the name shall not be removed except in pursuance of a decision of the Registrar having effect under that section.

(7) A person whose name has been removed from the register under the last foregoing subsection who applies under subsection (1) above for his name to be entered again in the register, shall be required again to pass the examination mentioned in paragraph (*a*) of subsection (1) above, unless the application is made before the end of the period of one year beginning with the end of the said period of four years.

Extension of duration of registration.

4.—(1) If, before the end of the period of four years at the end of which the name of a person is, by section 3(6) above, to be removed from the register, he makes application to the Registrar, in manner determined by the Minister, accompanied by particulars so determined, for the retention of his name in the register for a further period of four years, he shall be entitled, on payment of such fee, if any, as may be prescribed by regulations, to have his name retained therein for that further period, if he satisfies the Registrar that the following conditions are fulfilled in his case, that is to say,—

(*a*) that he has not refused to undergo any such test as is mentioned in section 3(2) above which he has been required to undergo during the period first mentioned in this subsection;

(*b*) that his ability and fitness to give instruction in the driving of motor cars continue, having regard to any such test or tests as aforesaid which he has undergone during the said period, to be of a satisfactory standard;

(*c*) that he is the holder of a current licence of one of the kinds mentioned in sub-paragraph (i) and sub-paragraph (ii) of paragraph (*b*) of section 3(1) above, and at no time during the said period has he held no such current licence;

(*d*) that he has not during any part of the said period been disqualified under section 5 of the 1962 Act for holding or obtaining a licence to drive a motor vehicle granted under Part II of the 1960 Act; and

(*e*) that, apart from fulfilment of the foregoing conditions, he continues to be a fit and proper person to have his name entered in the register.

(2) The retention of a person's name under this section shall be subject to the condition mentioned in section 3(2) above.

(3) Before refusing an application under subsection (1) above, the Registrar shall give to the applicant written notice stating that he is considering the refusal of the application and giving particulars of the grounds on which he is considering it; and the applicant may, within the period of twenty-eight 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 by the applicant within the said period.

(4) The Registrar, on making a decision under the last foregoing subsection, shall give notice in writing of the decision to the person concerned, and a decision to refuse an application shall take effect—

(*a*) where no appeal under the following provisions 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, as aforesaid, if and when the appeal is dismissed, and not otherwise.

(5) Where a person's name is retained in the register under subsection (1) above, that subsection and section 3(6) above shall have effect in relation to him, with respect to each successive period of four years, as if any reference therein to the first day of the month next after that in which the entry of a person's name in the register was made were a reference to the day with which began the last further period for which his name was retained under the said subsection (1).

Removal of names from register.

5.—(1) The Registrar may remove the name of a person from the register if the Registrar is satisfied, in a case where the name has not been retained therein under section 4 above, that, at any time since the entry of the name was made, or, in a case where the name has been retained as aforesaid, that, at any time since it was last retained, any of the following conditions was fulfilled in the case of that person, that is to say—

(*a*) that he held neither a current licence of a kind mentioned in sub-paragraph (i) of paragraph (*b*) of section 3(1) above nor one of a kind mentioned in sub-paragraph (ii) of that paragraph;

(*b*) that he was disqualified under section 5 of the 1962 Act for holding or obtaining a licence to drive a motor vehicle under Part II of the 1960 Act;

(*c*) that he refused to undergo a test such as is mentioned in section 3(2) above;

(*d*) that he failed to pass such a test;

(*e*) that he ceased, apart from fulfilment of any of the foregoing conditions, to be a fit and proper person to have his name included on the register;

or if the entry of his name in the register, or the retention of his name therein, was made by mistake or procured by fraud.

(2) Before removing the name of a person from the register under this section, the Registrar shall give to the person concerned written notice stating that he is considering the removal and giving particulars of the grounds on which he is considering it; and that person may, within the period of twenty-eight days beginning with the day on which the notice is given, make representations with respect to the proposed removal; and the Registrar shall not decide to remove the name from the register until after the expiration of the said period and, before deciding whether or not to do so, shall take into consideration any such representations made by the person concerned within the said period.

(3) The Registrar shall, on making a decision to remove a name from the register, give notice in writing of the decision to the person concerned, and section 4(4) above 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 section 4 above takes effect.

Licences.

6.—(1) For the purpose of enabling a person to acquire practical experience of giving instruction in driving motor cars with a view to undergoing the examination referred to in paragraph (*a*) of section 3(1) above, the Registrar shall, subject to

the next following subsection, on application made to him by that person in manner determined by the Minister, 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 1 above, if the Registrar is satisfied that the conditions set out in paragraphs (*b*), (*c*) and (*d*) of the said section 3(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 the last foregoing subsection 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 Act against the decision has expired and, if such an appeal is duly brought, it is finally disposed of.

(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 paragraph (*b*) of section 3(1) above nor one of a kind mentioned in sub-paragraph (ii) of that paragraph; or

(*b*) that he was disqualified under section 5 of the 1962 Act for holding or obtaining a licence to drive a motor vehicle under Part II of the 1960 Act; 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 4(4) above 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 section 4(1) above takes effect.

Appeals.

7.—(1) A person who is aggrieved by a decision of the Registrar—

(*a*) to refuse an application for the entry of his name in the register;

(*b*) to refuse an application for the retention of his name in the register; or

(*c*) to remove his name from the register;

may by notice in writing appeal to the Minister within the period of twenty-eight days beginning with the day on which notice of the decision was given in accordance with the provisions of this Act, and a person who is aggrieved by a decision of the Registrar to refuse an application for the grant of a licence under this Act or to revoke such a licence may, in such manner, so appeal within the period of fourteen days beginning with the said day.

(2) On the appeal the Minister shall have power to make such order for the grant or refusal of the application or, as the case may be, for the removal or the retention of the name on the register, or the revocation or continuation of the licence, as he may think fit; and an order for such refusal, removal or revocation may direct that an application by the appellant for the grant of a licence under this Act or for his name to be entered in the register shall not be entertained before the expiration of such period, not exceeding four years beginning with the day on which the order is made, as may be specified in the order.

(3) Schedule 1 to this Act shall have effect in relation to an appeal under this section.

Examinations and tests of ability to give driving instruction.

8.—(1) Regulations may make provision with respect to the nature of examinations of the ability of persons to give instruction in the driving of motor cars and tests of continued ability and fitness to give such instruction, to evidence of the results thereof and generally with respect thereto, and, in particular, but without prejudice to the generality of the foregoing, may provide—

(*a*) for such an examination to consist in part of a written examination and in part of a practical test of ability and fitness to drive and to instruct;

(*b*) for requiring a person submitting himself to any such practical test as aforesaid to provide a vehicle for the purposes of the test, being a vehicle in respect of which such conditions as may be specified in regulations are complied with;

(*c*) for requiring a person applying to submit himself for such an examination, or any part of such an examination, to pay to the Registrar such fee as may be specified in the regulations in relation to that examination or part;

(*d*) for preventing a person who, on any day, submits himself for such an examination and fails to pass it from being eligible to submit himself to another such examination before the expiration of the period of three months beginning with that day, or, if the regulations provide for an examination to consist of two such parts as are mentioned in paragraph (*a*) above, preventing a person who submits himself on any day for one of those parts, and fails to pass that part, from being eligible to submit himself again for that part before the expiration of the period of three months beginning with that day;

(*e*) for requiring a person who desires to submit himself for such an examination to supply the Registrar with such particulars as the Minister may determine.

(2) A magistrates' court acting for the petty sessions area in which a person who has submitted himself for an examination of ability to give instruction in the driving of motor cars resides or, if he resides in Scotland, the sheriff within whose jurisdiction he resides, shall have power on the application of that person to determine whether the examination was properly conducted in accordance with the regulations, and, if the regulations provide for the examination to consist of two parts, whether either of those parts was so conducted; and, if it appears to the court or sheriff that the examination, or, as the case may be, part, was not so conducted, the court or sheriff may order that the applicant shall be eligible to submit himself to another examination, or, as the case may be, to submit himself again for that part, before the expiration of the period of three months mentioned in paragraph (*d*) of subsection (1) above in relation to the examination, or, as the case may be, part, and may order that any fee payable by the applicant in respect of the examination or part shall not be paid, and if it has been paid, shall be repaid.

(3) No appeal shall lie under section 7 above in respect of any matter in respect of which an application may be made to a magistrates' court or a sheriff under the last foregoing subsection.

Power to alter conditions for entry or retention in, and removal from, register and grant or revocation of licences under this Act.

9. Regulations may—

(*a*) alter or add to the conditions as to which the Registrar is required by this Act to be satisfied for the entry of a name in the register, the retention of a name therein, the removal of a name therefrom, the grant of a licence and the revocation of a licence, or omit any of those conditions,

(*b*) alter the period at the expiration of which a person's name which is entered or retained in the register after the coming into force of the regulation must, unless retained or further retained, be removed therefrom.

Power to prescribe form of certificate of registration, &c.

10.—(1) Regulations may prescribe all or any of the following, that is to say, a form of certificate for issue to persons whose names are in the register as evidence of their names' being therein, a form of badge for use by such persons and an official title for such use.

(2) If a person—

(*a*) whose name is not in the register, takes or uses a title prescribed under this section, or wears or displays a badge or certificate so prescribed, or takes or uses any name, title, addition or description implying that his name is in the register; or

(*b*) being a person carrying on business in the provision of instruction in the driving of motor vehicles, uses a title or description so prescribed in relation to any person employed by him whose name is not in the register, or issues any advertisement or invitation calculated to mislead with respect to the extent to which persons whose names are in the register are employed by him,

then, unless he proves that he did not know, and had no reasonable cause to believe, that his name, or, as the case may be, that of the person employed by him, was not in the register at the material time, he shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £100.

Surrender of certificates and licences.

11. Where—

(*a*) the name of a person to whom a certificate prescribed under section 10 above has been issued is removed from the register in pursuance of this Act; or

(*b*) a licence granted under this Act to a person expires or is revoked;

that person shall, if so required by the Registrar by notice in writing, surrender the certificate or licence, as the case may be, to the Registrar within the period of fourteen days beginning with that on which the notice is given, and if he fails to do so, he shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £50.

Production of certificates and licences to police constables and authorised persons.

12.—(1) A person to whom a certificate prescribed under section 10 above is issued, or to whom a licence under this Act is granted, shall, on being so required by a police constable or any person authorised in writing by the Minister in that behalf, produce the certificate or licence for examination.

(2) Where the name of a person is removed from the register or a licence granted under this Act to a person expires or is revoked, then, if that person fails to satisfy an obligation imposed on him by section 11 above, a police constable or a person authorised as aforesaid may require him to produce any such certificate issued to him or the licence, and upon its being produced may seize it and deliver it to the Registrar.

(3) If a person who is required under subsection (1) or (2) above to produce a document fails to do so, then, unless within five days beginning with the day next after that on which the production of the document was so required, it is produced—

(*a*) where the requirement was made by a police constable, at such police station as, at the time the production was required, may have been specified by the person required to produce the document;

(*b*) where the requirement was made by a person other than a police constable, at such place as the person by whom the requirement was made may, at the time aforesaid, have specified;

he shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £50.

Application of provisions of Road Traffic Act 1960 as to offences and fines.

13. The provisions of the 1960 Act specified in Schedule 2 to this Act (which provisions relate to forgery and other offences and the destination of fines) shall have effect subject to the amendments specified in that Schedule, being minor amendments modifying those provisions for the purpose of putting them into effect in relation to this Act.

Evidence by certificate as to registration and licences.

14.—(1) A certificate signed by the Registrar and stating that, on any date,—

(*a*) a person's name was, or was not, in the register;

(*b*) the entry of a person's name was made in the register or a person's name was removed therefrom;

(*c*) a person was, or was not, the holder of a current licence under section 6 of this Act; or

(*d*) a licence under section 6 of this Act granted to a person came into force or ceased to be in force;

shall be evidence, and in Scotland sufficient evidence, of the facts stated in the certificate in pursuance of this section.

(2) A certificate stating as aforesaid and purporting to be signed by the Registrar shall be deemed to be so signed unless the contrary is proved.

Offences by corporations.

15. Where a body corporate is guilty of an offence under this Act and the offence is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or a person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and liable to be proceeded against and punished accordingly.

Service of notices.

16.—(1) A notice authorised or required to be given by this Act to a person may be given by delivering it to him, or by leaving it at his proper address, or by sending it to him by post.

(2) For the purposes of this section and of section 26 of the Interpretation Act 1889 in its application to this section, the proper address of a person shall be, in the case of a person whose name is included in the register, his address on the register, and in any other case, his usual or last known address. 1889 c. 63.

Expenses and receipts.

17.—(1) Any administrative expenses incurred by the Minister in consequence of provisions of this Act shall be defrayed out of moneys provided by Parliament.

(2) Any sums received on account of fees payable by virtue of any provision of this Act shall be paid into the Exchequer.

Regulations.

18.—(1) The Minister may make regulations for any purpose for which provision is by this Act authorised to be made by regulations.

(2) The power conferred by the foregoing subsection shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Provisions as to persons registered on the coming into force of section 3(6) of this Act.

19. In relation to a person whose name is in the register on the day on which subsection (6) of section 3 above comes into force, that subsection shall have effect, except where his name is retained in the register under section 4 above,—

(*a*) with the substitution, for the reference to the period of four years beginning as therein mentioned, of a reference to the period of two years so beginning; and

(*b*) where, before the said day, the name of the person has been retained in the register for a further period, with the substitution, for the reference to the said period of four years, of a reference to the period of two years beginning with the day with which began the last further period for which the name was so retained;

and section 4(1) above shall be construed accordingly.

Repeal of section 23 of the Road Traffic Act 1962, and transitional provisions.

20.—(1) Section 23 of the 1962 Act is hereby repealed.

(2) In so far as regulations made under subsection (3) of the said section 23 could have been made under section 10 of this Act, they shall not be invalidated by the repeal effected by the foregoing subsection but shall have effect as if made under the said section 10.

(3) Any enactment or other document referring, whether specifically or by means of a general description, to the said section 23 or any provision thereof, shall, unless the context otherwise requires, be construed as referring to this Act or the corresponding provision thereof.

(4) Nothing in the foregoing provisions of this section shall be taken as prejudicing the operation of section 38 of the Interpretation Act 1889 (effect of repeals).

1889 c. 63.

Interpretation.

21.—(1) In this Act—

"the Minister" means the Minister of Transport;

"motor car" and "motor vehicle" have the meanings assigned to them by section 253 of the 1960 Act;

1960 c. 16. "the 1960 Act" means the Road Traffic Act 1960;

1962 c. 59. "the 1962 Act" means the Road Traffic Act 1962;

"regulations" means regulations made under section 18 above.

(2) Any reference in this Act to a current licence is a reference to a licence which has not expired and has not been cancelled, revoked or suspended.

Short title, commencement and extent.

22.—(1) This Act may be cited as the Road Traffic (Driving Instruction) Act 1967.

(2) This Act shall come into force on such day as the Minister may by order made by statutory instrument appoint; and different days may be so appointed for different purposes.

(3) This Act does not extend to Northern Ireland.

SCHEDULES

SCHEDULE 1

Section 7.

APPEALS AGAINST DECISIONS OF THE REGISTRAR

1. On an appeal under section 7 of this Act, the Registrar shall be made respondent.

2.—(1) The Minister shall refer every such appeal to a person, or two or three persons, appointed by him to hold an inquiry and report to him; and the person or persons so appointed may be appointed either for the purposes of one particular inquiry, or of inquiries into any such appeal that may be made to the Minister during such period as the Minister may determine, and no person so appointed shall be an officer of the Minister.

(2) The Minister may, for the purposes of any such inquiry, appoint up to three assessors to advise the person or persons holding it on matters arising out of it.

(3) Section 249 (except paragraph (*d*) of subsection (1) thereof) of the 1960 Act (general provisions as to inquiries under that Act) shall apply to an inquiry caused by the Minister to be held under this paragraph as it applies to inquiries held by him under that Act.

(4) The Minister shall, before making an order under the said section 7, consider any report made to him under this paragraph.

(5) The Minister shall, out of moneys provided by Parliament, pay to any person or persons holding inquiries under this paragraph and to any assessors appointed thereunder such fees and such expenses, if any, incurred by them as he may, with the approval of the Treasury, determine.

3. The Minister may by rules made by statutory instrument make provision as to the procedure on an appeal under the said section 7, and in particular, but without prejudice to the generality of this paragraph, may by rules so made make provision—

(*a*) prescribing the form and contents of the notice of appeal;

(*b*) enabling a party to the appeal to appear at an inquiry held under this Schedule by counsel or a solicitor or any person of such other description, if any, as may be specified by the rules;

(*c*) requiring proceedings on any such inquiry to be held in public, except in so far as may otherwise be provided by the rules;

(*d*) defining the functions of any assessors appointed by the Minister.

4. The Minister may on an appeal under the said section 7 order the appellant to pay the whole, or part, of the costs incurred by the Minister in connection with the appeal, or may direct that the whole, or part, of the costs of the appellant incurred in connection with the appeal shall be treated as part of the administrative expenses of the Minister; and the Minister may certify the amount of any such costs, and any amount so certified and ordered to be paid by the appellant shall be recoverable from him as a debt due to the Crown.

Section 13.

SCHEDULE 2

1960 c. 16.

MINOR MODIFICATIONS OF ROAD TRAFFIC ACT 1960

1. The documents to which section 233 (penalisation of forgery and misuse of documents and other things) applies shall include a licence under this Act.

2. In section 235(1) (penalization of making of false statements for purposes connected with licences under the Act of 1960 and registration in the register) any reference to a licence under that Act shall include a reference to a licence under this Act; and for the reference (inserted by the 1962 Act) to registration or continued registration in the register there shall be substituted a reference to the entry or retention in the register of the name of any person.

3. In section 237(1) (seizure of documents with respect to which certain offences may have been committed) the reference to documents produced to a police constable under the provisions of the 1960 Act shall include a reference to documents produced to a police constable under section 12 of this Act.

4. In section 240 (penalty for aiding, abetting, etc. commission of offences in Scotland), the reference to an offence against the provisions of the 1960 Act shall include a reference to an offence under this Act.

5. In section 246(1) (inclusion in indictment in Scotland of certain summary offences), the reference to a contravention of the provisions of the 1960 Act shall include a reference to a contravention of the provisions of this Act.

6. In section 247 (destination of fines), the references to offences under the foregoing provisions of the 1960 Act, and the reference in subsection (2) to offences under that Act, shall include references to offences under this Act.