

SCHEDULE 4

Amendments consequent upon the commencement of section 5(1) of the Professional Qualifications Act 2022 and revoking other EU recognition law

PART 2

Amendments in respect of professions in transport

Amendments to the Road Traffic (Amendment) Act (Northern Ireland) 2016

3.—(1) The Road Traffic (Amendment) Act (Northern Ireland) 2016⁽¹⁾ is amended as follows.

(2) In section 17(4)(b) (amendment of Article 19D of the Road Traffic (Northern Ireland) Order 1981⁽²⁾) as respects approved programmes of training: category B motor vehicles and motor bicycles)

- (a) in inserted paragraph (1ZB)(a)(i), omit “, EU temporary driving instructor”;
- (b) in inserted paragraph (1ZB)(a)(ii), omit “, EU temporary motorcycle instructor”;
- (c) in inserted paragraph (1ZB)(a)(iii), omit “or an EU temporary motorcycle instructor”; and
- (d) in inserted paragraph (1ZB)(b), for “approved motorcycle instructor, EU temporary driving instructor and EU temporary motorcycle instructor”, substitute “and “approved motorcycle instructor””.

Commencement Information

II Sch. 4 para. 3 in force at 1.12.2023, see [reg. 1](#)

Amendments to the Motor Vehicles (Driving Licences) Regulations 1999

4.—(1) The Motor Vehicles (Driving Licences) Regulations 1999⁽³⁾ are amended as follows.

(2) In regulation 16(13)(za) (conditions attached to provisional licences), omit “either part of”.

(3) In regulation 60 (certified instructors)—

- (a) in paragraph (1), for “60A”, substitute “61”;
- (b) at the end of paragraph (9), omit “, and includes a person in respect of whom there is in force a valid certificate issued under regulation 60A(3)(c)”.

(4) Omit regulation 60A (temporary certified instructors).

(5) In regulation 62 (withdrawal of approval to provide training courses or to act as an instructor)

- (a) in paragraph (1), omit “or 60A(3)(b),”;
- (b) in paragraph (3)—
 - (i) after “60(4)(b)”, omit “or 60A(3)(b),”;
 - (ii) in sub-paragraph (b), omit “or 60A(3)(c)” in both places it occurs.
- (6) In regulation 63 (cessation of conduct of training)—

⁽¹⁾ 2016 c. 11.

⁽²⁾ S.I. 1981/154 (N.I. 1).

⁽³⁾ S.I. 1999/2864, as amended by S.I. 2016/1089. There are other amending instruments but none is relevant to these Regulations.

Changes to legislation: There are currently no known outstanding effects for the The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023, PART 2. (See end of Document for details)

- (a) in paragraph (1)—
 - (i) omit “or 60A(1)”;
 - (ii) omit “or 60A(3)(c)” in both places it occurs;
 - (b) in paragraph (2)—
 - (i) omit “or 60A(5)”;
 - (ii) omit “or 60A(3)(c)”.
- (7) In regulation 64(2) (approved training courses conducted by certified direct access instructors), omit “or 65A”.
- (8) Omit regulation 65A (temporary certified direct access instructors).
- (9) In regulation 69A (review of Part V)—
- (a) omit paragraph (2);
 - (b) omit paragraph (6).
- (10) In Schedule 13 (approved motor bicycle training courses: forms of certificate)—
- (a) in the shoulder note, for “Regulations 60, 60A, 65, 65A and 68” substitute “Regulations 60, 65 and 68”;
 - (b) omit Parts 4 and 5.

Commencement Information

12 Sch. 4 para. 4 in force at 1.12.2023, see [reg. 1](#)

Amendments to the Motor Cars (Driving Instruction) Regulations 2005

- 5.—**(1) The Motor Cars (Driving Instruction) Regulations 2005 are amended as follows.
- (2) In regulation 2(1) (interpretation), in the definition of “approved driving instructor”, omit “Part 1 of”.
- (3) In regulation 9(1) (additional conditions for entry of name on register), for “in Part 1 of the register the name of a person who is required to pass the examination”, substitute “the name of a person in the register”.
- (4) In regulation 11(1) (additional condition for retention of names on the register), omit “Part 1 of”.
- (5) In regulation 17(1) (fees), in column (2) of the Table—
- (a) in item 6, omit “Part 1 of”;
 - (b) in item 8, omit “Part 1 of”;
 - (c) in item 9, omit “Part 1 of”.
- (6) In regulation 18 (official title of registered person and certificate of registration: Part 1)—
- (a) in the heading, omit “: Part 1”;
 - (b) in paragraph (1), omit “Part 1 of”;
 - (c) in paragraph (2), omit “Part 1 of”.
- (7) Omit regulation 18A (official title of registered person and certificate of registration: Part 2).
- (8) In regulation 19 (form of badge: Part 1)—
- (a) in the heading, omit “: Part 1”;
 - (b) after “whose names are in”, omit “Part 1 of”.

- (9) Omit regulation 19A (form of badge: Part 2).
- (10) In regulation 23 (review)—
 - (a) omit paragraph (2);
 - (b) omit paragraph (6).
- (11) In the title of Schedule 5, omit “: PART 1”.
- (12) Omit Schedule 5A (Form of Certificate: Part 2).
- (13) In the title of Schedule 6, omit “: PART 1”.
- (14) Omit Schedule 6A (Form of Badge: Part 2).

Commencement Information

I3 Sch. 4 para. 5 in force at 1.12.2023, see [reg. 1](#)

Amendments to the Road Traffic (Northern Ireland) Order 2007

- 6.**—(1) The Road Traffic (Northern Ireland) Order 2007 is amended as follows.
- (2) In Article 2(2) (interpretation), omit the definition of “the Regulations of 2015”.
 - (3) In Article 48 (requirement of registration)—
 - (a) for paragraph (1), substitute—
 - “(1) A person—
 - (a) must not give paid driving instruction of any prescribed description unless he is registered in respect of the giving of that description of driving instruction; and
 - (b) must not carry on a business in the provision of paid driving instruction of any prescribed description unless he is registered in respect of the carrying on of business in the provision of that description of driving instruction.”;
 - (b) omit paragraph (1A);
 - (c) in paragraph (7), omit “Part 1 or 2 of”.
 - (4) In Article 49 (paid driving instruction: offences)—
 - (a) in paragraph (1), for “48(1)”, substitute “48(1)(a)”;
 - (b) in paragraph (2), for “48(1A)”, substitute “48(1)(b)”;
 - (c) in paragraph (3), omit “in the appropriate part of the register”;
 - (d) omit paragraph (5).
 - (5) In Article 51 (register), omit paragraphs (1A) to (1C).
 - (6) In Article 52 (conditions of registration)—
 - (a) in paragraph (1)—
 - (i) omit “in Part 1 of the register”;
 - (ii) omit “in that Part”;
 - (b) in paragraph (2), omit “in Part 1 of the register”.
 - (7) In Article 55 (duration of registration)—
 - (a) in paragraph (1), omit “in Part 1 of the register”;
 - (b) in paragraph (3), omit “in Part 1 of the register”;
 - (c) in paragraph (4), omit “in Part 1 of the register”;

- (d) omit paragraphs (6) to (8).
- (8) In Article 56 (extension of duration of registration)—
 - (a) in paragraph (1), omit “in Part 1 of the register”;
 - (b) in paragraph (4), omit “in Part 1 of the register”;
 - (c) in paragraph (6), omit “in Part 1 of the register”.
- (9) In Article 57 (termination of registration by Registrar)—
 - (a) in paragraph (1)—
 - (i) insert “or” at the end of sub-paragraph (a);
 - (ii) omit sub-paragraphs (c) and (d);
 - (b) in paragraph (3)—
 - (i) omit “or renewed”;
 - (ii) omit “or renewal”.
- (10) In Article 58(1) (cases where Registrar may give direction as to further applications), omit “, in respect of Part 1 of the register.”.
- (11) In Article 59 (appeals to the Department)—
 - (a) in paragraph (1)(a)(ii), omit “or renewal”;
 - (b) in paragraph (6), omit “in Part 1 of the register”;
 - (c) in paragraph (11), omit “or renewal”.
- (12) In Article 60 (appeals to court of summary jurisdiction)—
 - (a) in paragraph (1)(a), omit “or renewal”;
 - (b) in paragraph (3), omit “in Part 1 of the register.”.
- (13) In Article 69(1) (power to alter registration period), omit “, in respect of Part 1 of the register.”.
- (14) In Article 70 (evidence of registration)—
 - (a) for paragraph (2), substitute—
 - “(2) If at any time a person who is not registered—
 - (a) displays a certificate or other item prescribed under paragraph (1);
 - (b) uses a title or other description prescribed under paragraph (1)(b); or
 - (c) uses a title, certificate or other description implying that he is registered,he is guilty of an offence unless he proves that he did not know, and did not have reasonable cause to believe, that he was not registered at that time.”;
 - (b) in paragraph (3)—
 - (i) in sub-paragraph (a), omit “for use by other persons registered in either Part of the register”;
 - (ii) after sub-paragraph (a), insert “or”;
 - (iii) omit sub-paragraph (c) and the “or” preceding it.

Commencement Information

I4 Sch. 4 para. 6 in force at 1.12.2023, see [reg. 1](#)

Amendments to the Driving and Motorcycle Riding Instructors (Recognition of European Professional Qualifications) Regulations 2016

7.—(1) The Driving and Motorcycle Riding Instructors (Recognition of European Professional Qualifications) Regulations 2016 are amended as follows.

(2) In regulation 2 (modifications of Part 5 of the Road Traffic Act 1988 that have effect until the coming into force of Schedule 6 to the Road Safety Act 2006)—

- (a) omit paragraph (2);
 - (b) omit paragraph (3);
 - (c) in paragraph (4)—
 - (i) omit sub-paragraphs (a) to (e);
 - (ii) omit sub-paragraph (g);
 - (d) omit paragraph (5);
 - (e) omit paragraph (6);
 - (f) omit paragraph (7);
 - (g) in paragraph (9)—
 - (i) omit sub-paragraphs (a) and (b);
 - (ii) in sub-paragraph (c), in the subsection (3) substituted by that sub-paragraph—
 - (aa) omit “Part 1 of”;
 - (bb) omit “that Part of” in each place it occurs;
 - (iii) in sub-paragraph (c), omit the subsection (4) substituted by that sub-paragraph.
- (3) Omit regulations 3 and 4.

Commencement Information

I5 Sch. 4 para. 7 in force at 1.12.2023, see [reg. 1](#)

Amendments to the Street Works (Qualifications of Operatives and Supervisors) (England) Regulations 2016

8.—(1) The Street Works (Qualifications of Operatives and Supervisors) (England) Regulations 2016 are amended as follows.

- (2) In regulation 2(1) (interpretation)—
- (a) omit the definition of “the 2015 Regulations”;
 - (b) for the definition of “competent authority”, substitute—

““competent authority” means the Scottish Qualifications Authority, the City and Guilds of London Institute and the Certification and Association Board for the Water Authority;”.
- (3) Omit regulation 7 (freedom to provide services on a temporary basis).

Commencement Information

I6 Sch. 4 para. 8 in force at 1.12.2023, see [reg. 1](#)

Changes to legislation: *There are currently no known outstanding effects for the The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023, PART 2. (See end of Document for details)*

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There are currently no known outstanding effects for the The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Amendment) Regulations 2023, PART 2.