



**In the First-tier Tribunal
(General Regulatory Chamber)
Transport**

Before: **Judge Heald**

Appellant: **Stefan-Levente Lovasz**

Respondent: **The Registrar of Approved Driving Instructors**

Case Management Directions

(The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009)

It is ordered that this Appeal is struck out pursuant to rule 8(3)(c) The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009

REASONS

1. To qualify as an Approved Driving Instructor an applicant is required to pass a Qualifying Examination. This is in 3 parts and three attempts are allowed at each part. The whole examination (parts 1-3 inclusive) must be completed within two years of passing part 1. Paid driving instruction may not be given unless a person's name is on the Register of Approved Driving Instructors or they hold a (trainee) licence issued pursuant to section 129(1) Road Traffic Act 1988 ("the Act") and The Motor Cars (Driving Instruction) Regulations 2005 ("the 2005 Regs").
2. Regulation 14 of the 2005 Regs provides as follows:-

*"14. A licence shall remain in force until –
(a) the expiration of a period of 6 months commencing on the date of the grant, or
(b) the day immediately following the day on which the holder of the licence failed the instructional ability and fitness test at the third attempt,
whichever shall first occur.*
3. On 9 May 2025 the Registrar refused the Appellant's request for a 3rd licence following which this Appeal was issued on 22 May 2025 pursuant to section 131(2)(a) of the Act.

4. By a form GRC5 dated 30 May 2025 the Registrar asked that the Appeal be struck out pursuant to rule 8(3)(c) The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 which provides that:-

"(3) The Tribunal may strike out the whole or a part of the proceedings if

(c) the Tribunal considers there is no reasonable prospect of the appellant's case, or part of it, succeeding"

5. The grounds of the application are that on 29 May 2025 the Appellant failed the 3rd attempt at the instructional ability test and thus by reg 14(b) of the 2005 Regs the licence is no longer in force.

6. By rule 8(4) 2009 Rules:-

"(4) The Tribunal may not strike out the whole or a part of the proceedings under paragraph...(3)(b) or (c) without first giving the appellant an opportunity to make representations in relation to the proposed striking out"

7. It appears that the application to strike out was copied to the Appellant by email of the 30 May 2025 and that no representations have been received.
8. The Appellant failed the 3rd attempt at the instructional ability test. There is no reasonable prospect of the Appellant's case succeeding because of this and the provisions of reg 14(b) of the 2005 Regs. It is fair and just that the Appeal is struck out by rule 8(3)(c) 2009 Rules.

Signed: Judge Heald

Date: 3 July 2025