

MOTOR TRAFFIC ACT 1936

CODE OF PRACTICE FOR ACCREDITED DRIVING INSTRUCTORS

INSTRUMENT NO. 253 OF 1997

EXPLANATORY STATEMENT

OUTLINE

The *Motor Traffic (Amendment) Act (No. 8) 1997* inserted a new Part 1B into the *Motor Traffic Act 1936* (the Act). This Part, comprising sections 13A to 13Y, introduces a Competency Based Training and Assessment Scheme for learner drivers, administered by accredited driving instructors.

Under section 13H of the Act, the Registrar of Motor Vehicles may suspend or cancel the accreditation of an accredited driving instructor if he or she contravenes the Code of Practice.

The Registrar may approve a Code of Practice relating to accredited driving instructors pursuant to section 13U of the Act.

The Code of Practice is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989* (section 150N) and must be published in accordance with section 150P.

Under subsection 13W (1) of the Act, the Registrar of Motor Vehicles shall ensure that the Code is available for public inspection free of charge.

Subsection 13W (2) of the Act states that on application accompanied by the determined fee, the Registrar shall ensure that a copy of the Code or any part of it is made available to the applicant.

DETAILS

The Code of Practice for Accredited Driving Instructors is a plain English document written so that it is easily understood by both Instructors and learner drivers.

1. Introduction

This section explains the purpose and functions of the Code of Practice.

2. The Motor Traffic Act 1936

This section explains the link between the Code of Practice and the *Motor Traffic Act 1936*.

3. Definitions

This section defines four terms used in the Code of Practice: 'Instructor', 'Registrar', 'student' and 'bribe'.

4. Punctuality towards student

This section states that an Instructor must endeavour not to delay an appointment with a student for a driving lesson.

5. Courtesy

This section describes a number of behaviours expected of Instructors - courtesy; not smoking; application to the task; and no harassment of students.

6. Presentation

This section specifies the standard expected of vehicles used for instruction or assessment, and states that an Instructor should have a neat and tidy appearance.

7. Assessment of Students

This section states the procedures that must be followed by Instructors when they are assessing students under the Competency Based Training and Assessment Scheme. In particular, it outlines the 22 driver competencies which must be learnt and outlines the review and assessment procedures needed before an Instructor can certify a student for a provisional licence.

8. Auditing of Accredited Driving Instructors

This section provides procedures for the Registrar's auditing system which monitors the performance of Accredited Driving Instructors.

9. Relations with Clients

This section deals with the Instructor's relations with his or her students in regard to bribery, fees for driving lessons and complaints.

10. ACT Legislation Covering Accredited Driving Instructors

This section explains the relevant parts of the *Motor Traffic (Amendment) Act (No 8) 1997*, a copy of which is an Appendix to the Code of Practice.