



2010 CHAPTER 2

Miscellaneous

Operators' licences not to be transferable

48.—(1) Subject to any regulations under section 52, an operator's licence is neither transferable nor assignable.

(2) Regulations may make provision enabling the Department, where the holder of an operator's licence has died or become a patient within the meaning of Article 2(2) of the [Mental Health \(Northern Ireland\) Order 1986 \(NI 4\)](#), to direct that the licence be treated—

- (a) as not having terminated at the time when the licence-holder died or became a patient but as having been suspended (that is, as having remained in force but subject to the limitation that no vehicles were authorised to be used under it) from that time until the time when the direction comes into force; and
- (b) as having effect from the time when the direction comes into force for a specified period and as being held during that period (for such purposes and to such extent as may be specified) not by the person to whom it was issued but by such other person carrying on that person's business, or part of that person's business, as may be specified.

(3) Regulations may make provision enabling the Department in prescribed circumstances to direct that any operator's licence is to be treated (for such purposes, for such period and to such extent as may be specified) as held not by the person to whom it was issued but by such other person carrying on that person's business, or part of that person's business, as may be specified.

(4) Regulations may make provision enabling the Department to direct, for the purpose of giving effect to or supplementing a direction given by it by virtue

of subsection (2) or (3), that this Act is to apply with specified modifications in relation to the person who is to be treated under the direction as the holder of an operator's licence.

- (5) In this section “specified”, in relation to a direction, means specified—
- (a) in the regulations under which the direction was given; or
 - (b) in the direction in accordance with those regulations.