

SCHEDULE 2

REDUCED POLLUTION CERTIFICATES AND THE REDUCED POLLUTION REQUIREMENTS

Appeal against refusal or revocation of a certificate

12.—(1) A person aggrieved by a refusal to issue a reduced pollution certificate following a reduced pollution examination, or by the revocation of a reduced pollution certificate, may appeal to the Secretary of State.

(2) An appeal shall—

(a) be made before the expiration of the period of 14 days beginning with the day on which an authorised examiner gives notice under paragraph 5(3) or the Secretary of State gave notice under paragraph 10(1);

(b) state the grounds on which it is made; and

(c) be sent by post or facsimile transmission to the Secretary of State—

(i) at the Goods Vehicle Centre, Welcombe House, 91/92 The Strand, Swansea SA1 2DH, in the case of a vehicle which was examined in Great Britain; or

(ii) at the Driver and Vehicle Testing Agency, Headquarters, Balmoral Road, Belfast BT12 6QL, in the case of a vehicle which was examined in Northern Ireland.

(3) As soon as reasonably practicable after the receipt of an appeal made in accordance with subparagraph (2) the Secretary of State shall notify the appellant of—

(a) the place at which the examination for the purposes of the appeal will take place; and

(b) the time when it will start.

(4) The examination shall be carried by a person who has not previously examined the vehicle and who is—

(a) in the case of an examination carried out in Great Britain, authorised by the Secretary of State to carry out examinations for the purposes of this paragraph; or

(b) in the case of an examination carried out in Northern Ireland, an authorised examiner.

(5) At the conclusion of an examination under this paragraph the Secretary of State shall either issue a reduced pollution certificate or give the appellant notice that the appeal is dismissed and the grounds of dismissal.

(6) Paragraphs 2(3) and 3(2) apply to an examination under this paragraph.