



Public Passenger Vehicles Act 1981

1981 CHAPTER 14

PART V

MISCELLANEOUS AND SUPPLEMENTARY

Appeals to the Secretary of State

[^{F1}50 Appeals to the Transport Tribunal.

- (1) An applicant for the grant of a PSV operator's licence under this Act may appeal to the Transport Tribunal against any decision of the traffic commissioner—
 - (a) to refuse to grant the licence in accordance with the application; or
 - (b) to attach any condition to the licence otherwise than in accordance with the application.

^{F2}(2)

- (3) Where an application for a PSV operator's licence is granted under this Act and a person who duly made an objection to the grant under section 14A of this Act is aggrieved by the grant of the licence he may appeal to the Transport Tribunal.

- (4) The holder of a PSV operator's licence may appeal to the Transport Tribunal against any decision of the traffic commissioner—
 - (a) to refuse his application for the variation or removal of any condition attached to the licence; [^{F3}or any undertaking recorded in it]
 - (b) to vary any such condition, or to attach any new condition to the licence, otherwise than on his application; or
 - (c) to revoke or suspend the licence ^{F4}. . .

^{F5}(4A) A person who—

- (a) within the prescribed period has made an application for a review under section 49A of this Act; and
- (b) has been certified by the traffic commissioner as a person such as is mentioned in subsection (2)(b) of that section,

Status: Point in time view as at 01/01/1996. This version of this provision has been superseded.

Changes to legislation: Public Passenger Vehicles Act 1981, Section 50 is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

may appeal to the Transport Tribunal against the refusal of the application.]

(5) Where—

- (a) the holder of a PSV operator's licence in respect of which an order or direction has been made or given under section 28 of the Transport Act 1985 (power to disqualify PSV operators); or
- (b) any person in respect of whom any such order or direction has been made or given;

is aggrieved by the order or direction he may appeal to the Transport Tribunal.

[^{F6}(5A) A person aggrieved by the refusal of the prescribed testing authority to approve a vehicle as a type vehicle under section 10 of this Act or by the withdrawal by that authority under that section of such approval may appeal to the Secretary of State]

(6) The traffic commissioner—

- (a) making any such decision with respect to a licence as is mentioned in subsection (4)(b) or (c) above;
- (b) making any such order or giving any such direction as is mentioned in subsection (5) above;

may, if the holder of the licence or any such person as is mentioned in subsection (5) (b) above so requests, direct that his decision shall not have effect until the expiration of the period within which an appeal against it may be made to the Transport Tribunal and, if an appeal is made, until it is disposed of.

[^{F7}(6A) A person aggrieved by the refusal of a certifying officer or public service vehicle examiner or by the refusal of an authorised inspector to remove a prohibition under section 9(1) of this Act may appeal to the Secretary of State.

(6B) On any appeal under subsection (5A), (6) or (6A) above the Secretary of State shall cause an examination of the vehicle concerned to be made by an officer of the Secretary of State appointed by him for the purpose and shall make such determination on the basis of the examination as he thinks fit.]

(7) Where a traffic commissioner has given a direction under subsection (6) above he may withdraw it at any time.

(8) If the traffic commissioner refuses to give a direction under subsection (6) above or withdraws such a direction, the person requesting it may apply for such a direction to the Transport Tribunal and the Transport Tribunal shall give their decision on the application within fourteen days.

(9) This section does not apply in relation to conditions attached to a PSV operator's licence under section 8 of the Transport Act 1985 (enforcement of traffic regulation conditions).

Textual Amendments

- F1** S. 50 substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 31**
- F2** S. 50(2) omitted (1.1.1996) by virtue of [1994 c. 40, ss. 68, 81\(1\)](#), [Sch. 14 para. 7\(1\)](#), **Sch. 17**; [S.I. 1995/2835](#), **art. 2**
- F3** Words in s. 50(4)(a) added (1.1.1996) by [1994 c. 40, s. 68](#), **Sch. 14 para. 7(2)(a)**; [S.I. 1995/2835](#), **art. 2**
- F4** Words in s. 50(4)(c) omitted (1.1.1996) by virtue of [1994 c. 40, ss. 68, 81\(1\)](#), [Sch. 14 para. 7\(2\)\(b\)](#), **Sch. 17**; [S.I. 1995/2835](#), **art. 2**

Status: Point in time view as at 01/01/1996. This version of this provision has been superseded.

Changes to legislation: Public Passenger Vehicles Act 1981, Section 50 is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F5** s. 50(4A) inserted (1.1.1996) by 1994 c. 40, s. 65(2); S.I. 1995/2835, art. 2
F6 S. 50(5A) inserted (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), ss. 21(4)(a), 76(2)
F7 S. 50(6A)(6B) inserted (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), ss. 21(4)(b), 76(2)

Modifications etc. (not altering text)

- C1** S. 50(5) amended by S.I. 1983/1714, art. 10(4) (which S.I. is revoked (1.6.1991) by S.I. 1991/288, art. 2)

Status:

Point in time view as at 01/01/1996. This version of this provision has been superseded.

Changes to legislation:

Public Passenger Vehicles Act 1981, Section 50 is up to date with all changes known to be in force on or before 19 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.