



# Goods Vehicles (Licensing of Operators) Act 1995

## 1995 CHAPTER 23

### *Review of decisions and appeals*

#### **36 Review of decisions**

- (1) Subject to subsection (2), a traffic commissioner may review and, if he thinks fit, vary or revoke any decision of his to grant or refuse—
  - (a) an application for an operator's licence, or
  - (b) an application for the variation of such a licence in a case where section 17(3) required notice of the application to be published,if he is satisfied that a procedural requirement imposed by or under any enactment has not been complied with in relation to the decision.
- (2) The traffic commissioner may under subsection (1) review a decision only—
  - (a) if, within such period after taking the decision as may be prescribed, he has given notice to the applicant or (as the case may be) the licence-holder that he intends to review the decision;
  - (b) if, within that period, a person who appears to him to have an interest in the decision has requested him to review it; or
  - (c) (where neither paragraph (a) nor paragraph (b) applies), if he considers there to be exceptional circumstances that justify the review.
- (3) Regulations may make provision as to the manner in which notices under subsection (2)(a) are to be or may be served, including provision as to the circumstances in which, and the time at which, any such notice is to be treated as having been duly served (whether or not it has in fact been served).
- (4) The variation or revocation under this section of any decision shall not make unlawful anything done in reliance on the decision before the variation or revocation takes effect.