
STATUTORY INSTRUMENTS

1999 No. 2920

The Motor Cycles Etc. (EC Type Approval) Regulations 1999

PART V

MISCELLANEOUS

Duty to give reasons etc.

- 22.** A notice under regulation 6(5) or (6), 13(1) or (2) or 14(1) shall specify—
- (a) the reasons for the decision to which it relates,
 - (b) the right to request a review under these Regulations, and
 - (c) the time limit for making such a request.

Review of decisions

23.—(1) Where the Secretary of State has given a notice under regulation 6(5) or (6), 13(1) or (2) or 14(1) to a person, that person may request the Secretary of State to review the decision to which the notice relates.

(2) Any request by a person for a review of a decision to which a notice relates shall be made in writing within a period of 28 days from the day on which that person received that notice.

(3) On a review under this regulation the Secretary of State may—

- (a) hold an inquiry in connection with the review, and
- (b) appoint an assessor for the purpose of assisting him with the review or any such inquiry.

(4) Section 180 of the 1988 Act shall apply to an inquiry under this regulation as it applies to an inquiry under that Act.

(5) In its application to Northern Ireland by virtue of paragraph (4), section 180 of the 1988 Act shall have effect as if in paragraph (a) of subsection (2) after the word “Wales” there were inserted the words “or Northern Ireland”.

Service of notices

24.—(1) Any document required or authorised by virtue of these Regulations to be given to any person by the Secretary of State shall be given—

- (a) by delivering it to him or by leaving it at his proper address or by sending it by post to him at that address, or
- (b) if the person is a body corporate, by serving it in accordance with sub-paragraph (a) on the secretary or clerk of that body, or
- (c) if the person is a partnership, by serving it in accordance with sub-paragraph (a) on a partner or a person having the control or management of the partnership business.

(2) For the purposes of this regulation and section 7 of the Interpretation Act 1978⁽¹⁾ (which relates to the service of documents by post) in its application to this regulation, the proper address of any person on whom a document is to be served shall be his last known address, except that—

- (a) in the case of service on a body corporate or its secretary or clerk, it shall be the address of the registered or principal office of the body,
- (b) in the case of service on a partnership or a partner or a person having the control of management of a partnership business, it shall be the address of the principal office of the partnership,

and for the purposes of this regulation the principal office of a company registered outside the United Kingdom, or of a partnership carrying on business outside the United Kingdom is its principal office within the United Kingdom.

(3) If a person to be served by virtue of these Regulations with any document by the Secretary of State has specified to the Secretary of State an address within the United Kingdom other than his proper address (as determined in pursuance of paragraph (2)) as the one at which he or someone on his behalf will accept documents of the same description as that document, that address shall also be treated as his proper address for the purposes of this regulation and for the purposes of the said section 7 in its application to this regulation.

Provision of testing stations

25. The Secretary of State may provide and maintain—

- (a) stations where examinations of vehicles to which these Regulations apply and of components of such vehicles may be carried out for the purposes of these Regulations, and
- (b) the apparatus for carrying out such examinations.

Transitional

26.—(1) An application for EC type approval made under the Motor Cycles (EC Type Approval) Regulations 1995⁽²⁾ before the coming into force of these Regulations shall have effect as if it had been made under these Regulations.

(2) Nothing in these Regulations shall affect the validity of anything done under the Motor Cycles (EC Type Approval) Regulations 1995 before the coming into force of these Regulations.

(1) 1978 c. 30.
(2) S.I.1995/1513.