
STATUTORY INSTRUMENTS

2009 No. 443

The Public Service Vehicles (Registration Restrictions) (England and Wales) Regulations 2009

Procedure to be followed in determining the application

5.—(1) Where relevant representations are made to the traffic commissioner, the traffic commissioner must notify the parties described in paragraph (2) in writing, within the periods described in paragraph (3), of the decision as to whether the relevant application is to be accepted.

(2) The parties are—

- (a) the person who made the relevant application;
- (b) any relevant authority who made relevant representations against the application; and
- (c) any relevant operator who made relevant representations against the application.

(3) The periods are—

- (a) within 21 days beginning with the date stipulated in the notice in accordance with regulation 3(2)(e); or
- (b) where the traffic commissioner holds an inquiry under section 54 of the Public Passenger Vehicles Act 1981⁽¹⁾ (inquiries held by traffic commissioners) in respect of a relevant application, within 14 days beginning with the date of the conclusion of the inquiry.

(4) Where the decision is to accept the relevant application, the notification referred to in paragraph (1) must specify the date, determined in accordance with regulation 6, on which the registration or, as the case may be, variation or cancellation of an existing registration, will take effect.

(5) Where the traffic commissioner considers it to be necessary in order for a particular case to be dealt with fairly and justly, the traffic commissioner may, in accordance with paragraph (6), extend either of the periods prescribed in paragraph (3).

(6) A period may be extended by virtue of paragraph (5) only for such period as the traffic commissioner considers appropriate in the circumstances of the case.

⁽¹⁾ Section 54 was substituted by the Transport Act 1985, section 4.