
STATUTORY INSTRUMENTS

2012 No. 1363

The Tribunal Procedure (Amendment No. 2) Rules 2012

Amendments to the Tribunal Procedure (Upper Tribunal) Rules 2008

5. In paragraph (3) of rule 1 (interpretation etc)—

(a) in the definition of “appropriate national authority” after “Scottish Ministers” insert “, the Department of the Environment in Northern Ireland”;

(b) for the definition of “authorised person” substitute—

““authorised person” means—

(a) an examiner appointed by the Secretary of State under section 66A of the Road Traffic Act 1988⁽¹⁾;

(b) an examiner appointed by the Department of the Environment in Northern Ireland under Article 74 of the Road Traffic (Northern Ireland) Order 1995⁽²⁾;
or

(c) any person authorised in writing by the Department of the Environment in Northern Ireland for the purposes of the Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010⁽³⁾;

and includes a person acting under the direction of such an examiner or other authorised person, who has detained the vehicle to which an appeal relates;”

(c) in the definition of “respondent”, for “against any other decision except a decision of a traffic commissioner” substitute “other than a road transport case”;

(d) before the definition of “tribunal” insert—

““road transport case” means an appeal against a decision of a traffic commissioner or the Department of the Environment in Northern Ireland;”.

(1) 1988 c.52. Section 66A was inserted by section 9(1) of the Road Traffic Act 1991 (c. 40) and amended by paragraph 11 of Schedule 7 to the Goods Vehicles (Licensing of Operators) Act 1995 (c. 23).
(2) S.I. 1995/2994 (N.I. 18)
(3) 2010 c. 2 (N.I.)