

SCHEDULES

SCHEDULE 2

DETENTION OF VEHICLES USED WITHOUT OPERATOR'S LICENCE

Return or disposal of vehicle

- 9.—(1) Regulations shall make provision—
- (a) enabling the Department to hold a hearing before determining an application by virtue of paragraph 8,
 - (b) requiring the Department to hold a hearing if requested by a person who claims to be the owner,
 - (c) as to the time within which the hearing must be held, and
 - (d) subject to such provision as may be made by the regulations, for the hearing to be held in public.
- (2) Regulations shall also provide that, if no hearing is held, the Department must determine the application within a prescribed time after receiving notice of the application.
- (3) Regulations shall provide that—
- (a) if the Department determines that one of the grounds prescribed by virtue of paragraph 8(3) is made out, it must order the person specified in a direction by virtue of paragraph 5(1) to return the goods vehicle to the owner;
 - (b) if the Department determines that none of those grounds is made out, the vehicle may be sold or destroyed by the person specified, in such manner as may be prescribed.