
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 285

The Public Passenger Transport (Service Agreements and Service Permits) Regulations (Northern Ireland) 2015

PART 2

SERVICE PERMITS

Continuation of service permits on death, bankruptcy, etc.

7.—(1) In this regulation, “actual holder” in relation to a service permit means the person to whom the service permit was issued.

(2) This regulation applies in the event –

- (a) of the death of the actual holder of the service permit;
- (b) of the actual holder of the service permit becoming a patient (within the meaning of Article 2(2) of the Mental Health (Northern Ireland) Order 1986⁽¹⁾) on the grounds that the holder is incapable, by reason of mental disorder, of adequately managing his property and affairs;
- (c) that the actual holder has sold the business (or part of the business) as a going concern;
- (d) that the actual holder is adjudged bankrupt or is the subject of a bankruptcy restrictions order;
- (e) that the actual holder has become insolvent;
- (f) that the actual holder has received a winding up order;
- (g) that the actual holder has gone into receivership or liquidation; or
- (h) that the actual holder has entered into administration.

(3) Subject to paragraph (6), after the happening of any event mentioned in paragraph (2)(a) or (b), the Department may direct that the service permit be treated –

- (a) as not having terminated at the time when the service permit holder died or became a patient, but as having been suspended (that is, having remained in force but subject to the limitation that no services were authorised to be provided under it) from that time until the time when the direction comes into force; and
- (b) as having effect from the time when the direction comes into force for a specified period and as being held during the period (for such purposes and to such extent as may be specified) not by the person to whom it was issued, but by such other person carrying on that person’s business, or part of that person’s business.

(4) Subject to paragraph (6), after the happening of any of the events mentioned in paragraphs 1(c) to (h), the Department may direct that any service permit is to be treated (for such purposes, for such period and to such extent as may be specified) as held not by the person to whom it was issued, but by such other person carrying on that person’s business, or part of that person’s business.

(1) S.I. 1986/595 (N.I. 4)

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(5) The Department may direct, for the purposes of giving effect to or supplementing a direction given under paragraphs (3) or (4), that the Act is to apply with such modifications in relation to the person who is to be treated under the direction as the holder of the service permit.

(6) The powers exercisable under paragraphs (3) and (4) shall be exercisable in relation to a service permit only where the person who is to carry on the business of the person to whom the service permit was issued, holds an operator's licence appropriate for that business.

(7) In this regulation "specified" means "specified in the direction".