



# Public Passenger Vehicles Act 1981

## 1981 CHAPTER 14

### PART V

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Appeals to the Secretary of State*

#### **[<sup>F1</sup>50 Appeals to the [<sup>F2</sup>Upper Tribunal]**

- (1) An applicant for the grant of a PSV operator's licence under this Act may appeal to the [<sup>F3</sup>Upper Tribunal] against any decision of [<sup>F4</sup>a traffic commissioner]—
- (a) to refuse to grant the licence in accordance with the application; or
  - (b) to attach any condition to the licence otherwise than in accordance with the application.

<sup>F5</sup>(2) .....

- (3) Where an application for a PSV operator's licence is granted under this Act and a person who duly made an objection to the grant under section 14A of this Act is aggrieved by the grant of the licence he may appeal to the [<sup>F6</sup>Upper Tribunal] .

- (4) The holder of a PSV operator's licence may appeal to the [<sup>F6</sup>Upper Tribunal] against any decision of [<sup>F7</sup>a traffic commissioner]—
- (a) to refuse his application for the variation or removal of any condition attached to the licence; [<sup>F8</sup>or any undertaking recorded in it]
  - (b) to vary any such condition, or to attach any new condition to the licence, otherwise than on his application; or
  - (c) to revoke or suspend the licence <sup>F9</sup>... .

[ A person who—

- <sup>F10</sup>(4A) (a) within the prescribed period has made an application for a review under section 49A of this Act; and
- (b) has been certified by [<sup>F11</sup>a traffic commissioner] as a person such as is mentioned in subsection (2)(b) of that section,

*Changes to legislation: Public Passenger Vehicles Act 1981, Section 50 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

may appeal to the [<sup>F6</sup>Upper Tribunal] against the refusal of the application.]

(5) Where—

- (a) the holder of a PSV operator's licence in respect of which an order or direction has been made or given under section 28 of the Transport Act 1985 (power to disqualify PSV operators); or
- (b) any person in respect of whom any such order or direction has been made or given;

is aggrieved by the order or direction he may appeal to the [<sup>F6</sup>Upper Tribunal].

[ A person aggrieved by the refusal of the prescribed testing authority to approve a  
<sup>F12</sup>(5A) vehicle as a type vehicle under section 10 of this Act or by the withdrawal by that authority under that section of such approval may appeal to the Secretary of State]

(6) [<sup>F13</sup>A traffic commissioner]—

- (a) making any such decision with respect to a licence as is mentioned in subsection (4)(b) or (c) above;
- (b) making any such order or giving any such direction as is mentioned in subsection (5) above;

may, if the holder of the licence or any such person as is mentioned in subsection (5) (b) above so requests, direct that his decision shall not have effect until the expiration of the period within which an appeal against it may be made to the [<sup>F6</sup>Upper Tribunal] and, if an appeal is made, until it is disposed of.

[ A person aggrieved by the refusal of a certifying officer or public service vehicle  
<sup>F14</sup>(6A) examiner or by the refusal of an authorised inspector to remove a prohibition under section 9(1) of this Act may appeal to the Secretary of State.

(6B) On any appeal under subsection (5A), (6) or (6A) above the Secretary of State shall cause an examination of the vehicle concerned to be made by an officer of the Secretary of State appointed by him for the purpose and shall make such determination on the basis of the examination as he thinks fit.]

(7) Where a traffic commissioner has given a direction under subsection (6) above he [<sup>F15</sup>or another traffic commissioner] may withdraw it at any time.

(8) If [<sup>F16</sup>a traffic commissioner] refuses to give a direction under subsection (6) above or withdraws such a direction, the person requesting it may apply for such a direction [<sup>F17</sup>to the Upper Tribunal]<sup>F18</sup>... .

(9) This section does not apply in relation to conditions attached to a PSV operator's licence under section 8 of the Transport Act 1985 (enforcement of traffic regulation conditions).]

#### Textual Amendments

- F1** S. 50 substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 31**
- F2** Words in Sch. 2A para. 12 cross-heading substituted (1.9.2009) by [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), art. 1(1), **Sch. 1 para. 4(a)**
- F3** Words in s. 50(1) substituted (1.9.2009) by [The Transfer of Functions \(Transport Tribunal and Appeal Panel\) Order 2009 \(S.I. 2009/1885\)](#), art. 1(1), **Sch. 1 para. 2(a)**
- F4** Words in s. 50(1) substituted (3.7.2013) by [The Local Transport Act 2008 \(Traffic Commissioners\) \(Consequential Amendments\) Order 2013 \(S.I. 2013/1644\)](#), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)

---

**Changes to legislation:** Public Passenger Vehicles Act 1981, Section 50 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- F5** S. 50(2) omitted (1.1.1996) by virtue of 1994 c. 40, ss. 68, 81(1), Sch. 14 para. 7(1), **Sch. 17**; S.I. 1995/2835, **art. 2**
- F6** Words in s. 50(3)-(6) substituted (1.9.2009) by The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 (S.I. 2009/1885), art. 1(1), **Sch. 1 para. 2(a)**
- F7** Words in s. 50(4) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F8** Words in s. 50(4)(a) added (1.1.1996) by 1994 c. 40, s. 68, **Sch. 14 para. 7(2)(a)**; S.I. 1995/2835, **art. 2**
- F9** Words in s. 50(4)(c) omitted (1.1.1996) by virtue of 1994 c. 40, ss. 68, 81(1), Sch. 14 para. 7(2)(b), **Sch. 17**; S.I. 1995/2835, **art. 2**
- F10** s. 50(4A) inserted (1.1.1996) by 1994 c. 40, s. 65(2); S.I. 1995/2835, **art. 2**
- F11** Words in s. 50(4A)(b) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F12** S. 50(5A) inserted (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), **ss. 21(4)(a)**, 76(2)
- F13** Words in s. 50(6) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F14** S. 50(6A)(6B) inserted (*prosp.*) by Transport Act 1982 (c. 49, SIF 58, 107:1, 126), **ss. 21(4)(b)**, 76(2)
- F15** Words in s. 50(7) inserted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F16** Words in s. 50(8) substituted (3.7.2013) by The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), **Sch. 1** (with arts. 1(3), 2, 7)
- F17** Words in s. 50(8) substituted (1.9.2009) by The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 (S.I. 2009/1885), art. 1(1), **Sch. 1 para. 2(b)(i)**
- F18** Words in s. 50(8) omitted (1.9.2009) by virtue of The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 (S.I. 2009/1885), art. 1(1), **Sch. 1 para. 2(b)(ii)**

---

**Modifications etc. (not altering text)**

- C1** S. 50(5) amended by S.I. 1983/1714, **art. 10(4)** (which S.I. is revoked (1.6.1991) by S.I. 1991/288, **art. 2**)

**Changes to legislation:**

Public Passenger Vehicles Act 1981, Section 50 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 51(1A)(1B) inserted by [1982 c. 49 s. 21\(4\)\(b\)](#)