

Status: This version of this provision is prospective.

Changes to legislation: Transport Act 1982, Section 21 is up to date with all changes known to be in force on or before 28 May 2023. 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



Transport Act 1982

1982 CHAPTER 49

PART II

TESTING, MARKING AND APPROVAL OF VEHICLES

Miscellaneous and supplemental

PROSPECTIVE

21 Amendments with respect to appeals.

(1) Any examination of a vehicle on an appeal to the Secretary of State under [^{F1}section 45(4) of the 1988 Act] (appeal against refusal of test certificate) shall be carried out by an officer of the Secretary of State; and accordingly, in [^{F1}section 45(5) of that Act], after the word “made” there shall be inserted the words “by an officer of the Secretary of State appointed by him for the purpose”.

^{F2}(2)

^{F2}(3)

[^{F3}(4) In section 51 of that Act (appeals to the Secretary of State)—

(a) in subsection (1) after the words “examiner” there shall be inserted the words “ or an authorised inspector ”

(b) after subsection (1) there shall be inserted the following subsections—

“(1A) A person aggrieved by the refusal of the prescribed testing authority to approve a 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

(1B) On any appeal under subsection (1A) 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

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him for the purpose and shall make such determination on the basis of the examination as he thinks fit.”; and

- (c) in subsection (4) after the words “examiner” in both places where it occurs there shall be inserted the words “ prescribed testing authority or authorised inspector concerned ”]

^{F4}(5)

Textual Amendments

- F1** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, **Sch. 2 Pt. I para. 10(a)**
- F2** S. 21(2)(3) repealed (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 83, **Sch. 8**; S.I. 1992/1286, art. 2, **Sch.**
- F3** S. 21(4) substituted (1.7.1992) By [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 48, **Sch. 4 para. 21**; S.I. 1992/1286, art. 2, **Sch.**
- F4** S. 21(5) repealed (1.1.1996) by [1994 c. 40](#), s. 81, **Sch. 17**; S.I. 1995/2835, **art. 2**.

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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. 10(2)(b)-(d) substituted for s. 10(2)(b)(c) by [1999 c. 12 Sch. para. 2\(c\)](#)
- s. 10(2)(aa) inserted by [1999 c. 12 Sch. para. 2\(b\)](#)
- s. 70(2)(a)(iA) repealed by [2012 c. 5 Sch. 14 Pt. 9](#)