



## 2010 CHAPTER 2

### *Interim licences and interim variations*

#### **Interim variations**

**22.—**(1) On an application for the variation of an operator's licence under section 16, if the applicant so requests the Department may, before it has determined the application, vary the licence by giving an interim direction in respect of it.

(2) An interim direction is a direction under section 16(1) that is expressed to continue in force until it ceases to have effect under subsection (3) or (4).

(3) If on determining the application the Department varies the licence by giving a direction in the terms applied for and does not also under section 20(1) (a) or (c) or 20(2) attach or vary any conditions, the interim direction shall cease to have effect on the date on which the direction given on the application comes into force.

(4) If subsection (3) does not apply, the interim direction shall cease to have effect on the date on which the application is finally disposed of or such earlier date as the applicant may specify in a written request to the Department.

(5) Where, in a case within subsection (4), on determining the application the Department gives a direction varying the licence, that direction shall be of no effect before the interim direction ceases to have effect.

(6) A request for an interim direction to be given—

- (a) shall not be treated as an application for the variation of an operator's licence for the purposes of section 16(4) or 35 or Schedule 1, but
- (b) shall be treated as such an application for the purposes of any other provision of this Act.

(7) The reference in subsection (4) to the date on which an application is finally disposed of is to be construed in accordance with section 21(9).