



2011 CHAPTER 11

PART 1

PUBLIC PASSENGER TRANSPORT SERVICES

*Miscellaneous*

**Fees**

**13.**—(1) Such fees, payable at such times, as may be prescribed shall be charged by the Department in respect of—

- (a) applications for permits; and
- (b) the issue of permits.

(2) The Department may decline to proceed with—

- (a) any application for a permit, or
- (b) the issue of any permit,

until any fee in respect of the application or issue (as the case may be) is duly paid.

(3) If, in the case of any application for a permit, any fee in respect of the application or the issue of the permit is not duly paid by the prescribed time—

- (a) the application shall be treated as withdrawn at that time, and
- (b) any decision made or direction given on the application, and any permit issued or variation effected in pursuance of such a direction, ceases to have effect or terminates at that time.

(4) The Department may, if it considers there to be exceptional circumstances that justify its doing so in any case where subsection (3) has applied, direct that as from the time mentioned in that subsection its effect in that case be disregarded.

(5) Where such a direction is given in respect of a permit, the Department may vary any such condition as it applies in relation to events occurring before the direction comes into force.

(6) Regulations under this section may provide for fees to be remitted or refunded (in whole or part) in prescribed cases.

### **Permits not to be transferable**

**14.—**(1) Subject to any regulations under section 15, a permit is neither transferable nor assignable.

(2) Regulations may make provision enabling the Department, where the holder of a permit has died or become a patient within the meaning of Article 2(2) of the [Mental Health \(Northern Ireland\) Order 1986 \(NI 4\)](#), to direct that the permit be treated—

- (a) as not having terminated at the time when the permit-holder died or became a patient but as having been suspended (that is, as 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 that 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, as may be specified.

(3) Regulations may make provision enabling the Department in prescribed circumstances to direct that any 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, as may be specified.

(4) Regulations may make provision enabling the Department to direct, for the purpose of giving effect to or supplementing a direction given by it by virtue of subsection (2) or (3), that this Act is to apply with specified modifications in relation to the person who is to be treated under the direction as the holder of a permit.

(5) In this section “specified”, in relation to a direction, means specified—

- (a) in the regulations under which the direction was given; or
- (b) in the direction in accordance with those regulations.

### **Holding companies and subsidiaries**

**15.** Regulations may make provision for a service agreement made with, or a service permit held by, any company or other body corporate to apply also to the provision of services by any of its subsidiaries.