

**Changes to legislation:** Learner Travel (Wales) Measure 2008, Cross Heading: Stop notices: procedure is up to date with all changes known to be in force on or before 11 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

## [<sup>F1</sup>SCHEDULE A1

### CIVIL SANCTIONS

#### Textual Amendments

**F1** Sch. A1 inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), s. 16\(2\), Sch.](#)

#### *Stop notices: procedure*

- 8 (1) Provision under paragraph 7 must secure the results in sub-paragraph (2) in a case where a stop notice is served.
- (2) Those results are that—
- (a) the stop notice must comply with sub-paragraph (3),
  - (b) the person on whom it is served may appeal against the decision to serve it,
  - (c) where, after service of the notice, the enforcement authority is satisfied that the person has taken the steps specified in the notice, the enforcement authority must issue a certificate to that effect (a “completion certificate”),
  - (d) the notice ceases to have effect on the issue of a completion certificate,
  - (e) the person on whom the notice is served may at any time apply for a completion certificate,
  - (f) the enforcement authority must make a decision as to whether to issue a completion certificate within 14 days of such an application, and
  - (g) the person on whom the notice is served may appeal against a decision not to issue a completion certificate.
- (3) To comply with this sub-paragraph a stop notice must include information as to—
- (a) the grounds for serving the notice,
  - (b) rights of appeal, and
  - (c) the consequences of non-compliance.
- (4) Provision pursuant to sub-paragraph (2)(b) must secure that the grounds on which a person may appeal against a decision of the enforcement authority to serve a stop notice include the following—
- (a) that the decision was based on an error of fact;
  - (b) that the decision was wrong in law;
  - (c) that the decision was unreasonable;
  - (d) that any step specified in the notice is unreasonable;
  - (e) that the person has not breached the regulations and would not have breached them had the stop notice not been served;
  - (f) such other grounds as may be prescribed.
- (5) Provision pursuant to sub-paragraph (2)(g) must secure that the grounds on which a person may appeal against a decision of the enforcement authority not to issue a completion certificate include the following—
- (a) that the decision was based on an error of fact;
  - (b) that the decision was wrong in law;
  - (c) that the decision was unfair or unreasonable.]

**Changes to legislation:**

Learner Travel (Wales) Measure 2008, Cross Heading: Stop notices: procedure is up to date with all changes known to be in force on or before 11 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 Measure associated Parts and Chapters:**

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

- s. 7(3)(a)(ai) inserted by [2022 asc 1 Sch. 4 para. 23\(3\)\(b\)](#)