

## SCHEDULES

### SCHEDULE 2

#### DETENTION OF VEHICLES USED WITHOUT OPERATOR'S LICENCE

##### *Return or disposal of vehicle*

**8.**—(1) Regulations shall make provision enabling the owner of a goods vehicle detained by virtue of paragraph 1 to apply to the Department for the return of the vehicle.

(2) Regulations may, in particular—

- (a) require notice of an application to be given to the Department within such period as may be determined in accordance with the regulations, and
- (b) require notice of an application to be made in such form as may be prescribed.

(3) Regulations shall make provision as to the grounds upon which the owner may apply for the return of the vehicle.

(4) Those grounds may include the following grounds—

- (a) that at the time the vehicle was detained the person using the vehicle held an operator's licence (whether or not authorising the use of the vehicle)
- (b) that at the time the vehicle was detained the vehicle was not being, and had not been, used in contravention of section 1, or
- (c) that, although at the time the vehicle was detained it was being, or had been, used in contravention of section 1, the owner did not know that it was being, or had been, so used.