



2010 CHAPTER 2

Review of decisions and appeals

Review of decisions

34.—(1) Subject to subsection (2), the Department may review and, if it thinks fit, vary or revoke any decision it makes to grant or refuse—

- (a) an application for an operator's licence, or
- (b) an application for the variation of such a licence in a case where section 16(4) required notice of the application to be published,

if the Department is satisfied that a procedural requirement imposed by or under any statutory provision has not been complied with in relation to the decision.

(2) The Department may under subsection (1) review a decision only—

- (a) if, within such period after taking the decision as may be prescribed, the Department has given notice to the applicant or (as the case may be) the licence-holder that it intends to review the decision;
- (b) if, within that period, a person who appears to the Department to have an interest in the decision has requested the Department to review the decision; or
- (c) (where neither paragraph (a) nor paragraph (b) applies), if the Department considers there to be exceptional circumstances that justify the review.

(3) The variation or revocation under this section of any decision shall not make unlawful anything done in reliance on the decision before the variation or revocation takes effect.