

SCHEDULE 3

INQUIRIES

Appearances at an inquiry

3.—(1) The following persons shall be entitled to appear at an inquiry relating to an application namely—

- (a) the applicant;
- (b) a person who has duly made an objection to the application; and
- (c) a person who has duly made representations in respect of the application.

(2) Where the Department holds an inquiry with a view to exercising its powers under section 23 or 27, in respect of a licence, the licence-holder shall be entitled to appear at the inquiry.

(3) Without prejudice to sub-paragraph (2), where a person has requested an inquiry under section 26(1), that person shall be entitled to appear at any inquiry held at their request.

(4) If, in relation to any proceedings,

- (a) a transport manager has been given notice under regulation [^{F1}14] of the Qualification of Operators Regulations that an issue in the proceedings is whether that person is of good repute or professionally competent;
- (b) the transport manager has duly made a representation under that regulation; and
- (c) the issue is to be considered at an inquiry,

the transport manager shall be entitled to appear at the inquiry.

(5) Any person may appear at an inquiry at the discretion of the Department.

(6) Any person entitled or permitted to appear at an inquiry may do so on his own behalf or be represented by counsel, solicitor or, at the discretion of the Department, by any other person.

Textual Amendments

- F1** Word in Sch. 3 para. 3(4)(a) substituted (17.3.2022) by The Goods Vehicles (Licensing of Operators) (Amendment) Regulations 2022 (S.I. 2022/293), regs. 2(1), **132**

Commencement Information

- I1** Sch. 3 para. 3 in operation at 1.7.2012, see **reg. 1**

Changes to legislation:

There are currently no known outstanding effects for the The Goods Vehicles (Licensing of Operators) Regulations (Northern Ireland) 2012, Paragraph 3.