



Transport Act 1985

1985 CHAPTER 67

PART II

REGULATION OF ROAD PASSENGER TRANSPORT IN LONDON

Supplementary provisions

43 Further appeals on points of law

- (1) An appeal lies to the High Court at the instance of any of the persons mentioned in subsection (2) below on any point of law arising from a decision of the Secretary of State on an appeal from a decision of the metropolitan traffic commissioner.
- (2) The persons who may appeal against any such decision of the Secretary of State are—
 - (a) the person who appealed to the Secretary of State;
 - (b) any person who had a right to appeal to the Secretary of State against the relevant decision of the commissioner but did not exercise that right;
 - (c) any person who would have had a right of appeal to the Secretary of State against the relevant decision of the commissioner if aggrieved by that decision and who is aggrieved by the decision of the Secretary of State on the appeal; and
 - (d) the metropolitan traffic commissioner.
- (3) If on an appeal under this section the High Court is of opinion that the decision appealed against was erroneous in point of law, it shall remit the matter to the Secretary of State with the opinion of the court for rehearing and determination by him.
- (4) No appeal to the Court of Appeal may be brought from a decision of the High Court under this section except with the leave of the High Court or the Court of Appeal.