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STATUTORY INSTRUMENTS

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**2008 No. 1965**

**The Vehicle Drivers (Certificates of Professional Competence) (Amendment) (No. 2) Regulations 2008**

**Appeals**

9. After regulation 6, insert—

**“Appeals**

**6A.—**(1) A person who is aggrieved by a decision of the competent authority—

- (a) not to approve a person to provide periodic training courses under regulation 6(3) (a) (persons providing periodic training courses);
- (b) not to approve a periodic training course which a person wishes to provide under regulation 6(3)(b);
- (c) to withdraw an approval under regulation 6(7);
- (d) to suspend an approval under regulation 6(7); or
- (e) not to approve a training course under regulation 6(9),

may by notice in writing appeal to the Transport Tribunal<sup>(1)</sup> within the period of 28 days beginning with the day on which the notice of the decision was given.

(2) On the appeal the Transport Tribunal may make such order for the grant or refusal of approval for the person or course or for the withdrawal, suspension or continuation of an approval (as the case may be) as they think fit.

(3) An order on an appeal under paragraph (1)(a) or (c) may direct that an application by the appellant for an approval to provide periodic training courses under regulation 6(3) (a) shall not be entertained before the expiration of such period, not exceeding four years, beginning with the day on which the order is made, as may be specified in the order.

(4) If the Tribunal considers that any evidence adduced on an appeal has not been adduced to the competent authority before it gave the decision to which the appeal relates, the Tribunal may (instead of making the order under paragraph (2)) remit the matter to the competent authority for it to reconsider the decision.”.

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(1) The Transport Tribunal is constituted under section 117 of, and Schedule 4 to, the Transport Act 1985 (c.67).