

SCHEDULE 3

Transitional provisions

PART 1

Transitional Provisions for the Public Passenger Vehicles Act 1981

Exemption from professional competence examinations for certain transport managers

6.—(1) The Secretary of State may grant a transport manager an exemption from the requirements of paragraph 6(1) of Schedule 3 to the 1981 Act for the purposes of compliance with the requirement of section 14ZA(3)(b) of that Act (professional competence).

(2) The Secretary of State may grant an exemption under sub-paragraph (1) only if satisfied that the transport manager has continuously managed a road haulage undertaking or a road passenger transport undertaking (within the meaning of Article 9 of the 2009 Regulation) in one or more Member States for the period of ten years ending on 4th December 2009.

(3) The Secretary of State may grant an exemption under sub-paragraph (1) on an application or without an application being made for it.

(4) The power conferred by sub-paragraph (1) may not be exercised after 4th December 2013.

(5) If an application is made for an exemption under sub-paragraph (1) and the Secretary of State refuses the application, the applicant may request a redetermination of the application by a traffic commissioner.

(6) Sub-paragraph (2) applies to a grant of an exemption by a traffic commissioner under sub-paragraph (5) as it applies to a grant of an exemption by the Secretary of State under sub-paragraph (1).