
STATUTORY INSTRUMENTS

2020 No. 818

The Road Vehicles (Approval) Regulations 2020

PART 3

National small series type approval and individual approval

CHAPTER 2

Individual approval

Applications for individual approvals: appeals

19.—(1) This regulation applies where a notice has been given to an applicant under regulation 18(7) (“a relevant notice”).

(2) A person aggrieved by a decision made pursuant to an application under regulation 18 may appeal to the approval authority not later than 14 days after the date of receipt of the relevant notice.

(3) An appeal under this regulation must—

- (a) be made by notice in writing in a form approved by the approval authority,
- (b) state the grounds on which it is made,
- (c) be accompanied by such documents and further evidence as may be specified in the form and reasonably necessary to support the grounds of appeal, and
- (d) be accompanied by the prescribed fee (if any).

(4) As soon as reasonably practicable after receiving the notice of appeal the approval authority must—

- (a) send a notice to the appellant stating the time and place where a re-examination of the vehicle is to be carried out for the purpose of determining the issues raised by the appeal, and
- (b) appoint a person (“the examiner”) to re-examine the vehicle.

(5) The appellant must attend with the vehicle, or arrange for the vehicle to be produced, at the time and place specified in the notice under paragraph (4) unless otherwise agreed with the approval authority.

(6) The examiner must determine whether or not the decision made under regulation 18(7) was a correct decision and the provisions of regulation 18(7) to (9) apply for the purposes of that determination as they applied for the purposes of the original decision.

(7) The examiner may—

- (a) confirm the original decision, or
- (b) make such other decision as the examiner thinks fit (including the reimbursement of any fee paid by the appellant),

and if it is decided that an individual approval should be granted the examiner must notify the approval authority accordingly.