1989 No. 440

ROAD AND RAILWAY TRANSPORT

Road Service Licensing Regulations (Northern Ireland) 1989

Made . . . . . 22nd November 1989

Coming into operation . . 1st January 1990

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The Department of the Environment, in exercise of the powers conferred by sections 33(2) and 45 of the Transport Act (Northern Ireland) 1967(**a**) (hereinafter referred to as "the Act"), and now vested in it(**b**) and of all other powers enabling it in that behalf, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Road Service Licensing Regulations (Northern Ireland) 1989 and shall come into operation on 1st January 1990.

Interpretation

2. In these Regulations "Department" means the Department of the Environment.

(**a**) 1967 c. 37 (N.I.) as amended by S.R. 1972 No. 359 Art. 5(4), S.R. 1977 No. 327 Regulation 3(5)(*b*), S.R. 1981 No. 2 Regulations 3(4) and (6) and S.I. 1984/1986 (N.I. 15) Art. 10(2)

(**b**) S.R. & O. (N.I.) 1973 No. 504 Art. 4

Signing of applications and other documents

3. Every application for a road service licence or other document submitted to the Department under section 5 of the Act or under these regulations shall be signed by the person who submits it, or, in the case of a corporate body by a person duly authorised in that behalf by such body or in the case of a partnership firm by a partner of such firm.

Notice of refusal to grant road service licence

4. Where the Department decides to refuse to grant a road service licence it shall serve notice in writing upon the applicant for the licence stating that the licence has been refused and the reasons for such refusal.

Review of refusal to grant road service licence

5.—(1) An applicant for a road service licence who is aggrieved by the decision to refuse the licence may within 14 days from the date of issue of a notice of refusal apply in writing to the Department stating his grounds of complaint and requiring the decision to be reviewed by the Department.

(2) Upon considering such application and reviewing the decision the Department shall inform the applicant in writing whether the decision has been confirmed or reversed.

(3) Where the decision has been confirmed the Department shall give reasons for its confirmation.

Amendment of conditions attached to road service licence

6. Where the holder of a road service licence to which conditions are attached desires any amendment of the conditions he shall apply in writing to the Department stating:

(*a*) what additions or alterations, if any, he desires to the conditions;

(*b*) what conditions, if any, he desires to be omitted;

(*c*) what conditions, if any, he desires to be substituted in place of conditions to be deleted;

(*d*) the reasons for the desired amendments; and

(*e*) the date from which he desires the amendments to take effect.

Transfer of road service licence in certain cases

7. Where owing to any of the circumstances described in section 33(2)(*a*) to (*d*) of the Act the person to whom a road service licence has been granted (in this regulation referred to as "the grantee") ceases to carry on business under such a licence and the business is carried on by another person (in this regulation referred to as "the successor") the successor shall be the holder of the licence if—

(*a*) within one month from the date on which the grantee ceased to carry on business the Department receives from the successor notice in writing stating—

(i) that the grantee has ceased to carry on business under the licence,

(ii) the date of and the reason for his having so ceased, and

(iii) the full name and address of the successor; and