

EQUALITY ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 12: Disabled Persons: Transport

Chapter 2: Public service vehicles

Section 179: Reviews and appeals

Effect

575. If the Secretary of State refuses to approve a vehicle as a “type vehicle”, this section allows the applicant to ask the Secretary of State to review of the decision on payment of a fee. It also gives a right of appeal to the Secretary of State against any refusal to issue an accessibility or approval certificate. It also allows the Secretary of State to set out the appeals procedure in regulations.

Background

576. This section replicates the provisions contained in section 44 of the Disability Discrimination Act 1995.

Example

- A vehicle manufacturer is refused approval of a new bus design as a “type vehicle”. The manufacturer asks the Secretary of State to review the decision and pays the required fee. The Secretary of State must review the decision and any supporting written evidence or representations, and can confirm, vary or reverse the original decision.