



Disability Discrimination Act 1995

1995 CHAPTER 50

PART V

PUBLIC TRANSPORT

Public service vehicles

44 Reviews and appeals.

[^{F1}(1) Subsection (2) applies where—

- (a) the Secretary of State refuses an application for the approval of a vehicle under section 42(1); and
- (b) before the end of the prescribed period, the applicant asks the Secretary of State to review the decision and pays any fee fixed under section 45.

(2) The Secretary of State shall—

- (a) review the decision; and
- (b) in doing so, consider any representations made to him in writing, before the end of the prescribed period, by the applicant.

(3) A person applying for an accessibility certificate or an approval certificate may appeal to the Secretary of State against the refusal of a vehicle examiner to issue such a certificate.

(4) An appeal must be made within the prescribed time and in the prescribed manner.

(5) Regulations may make provision as to the procedure to be followed in connection with appeals.

(6) On the determination of an appeal, the Secretary of State may—

- (a) confirm, vary or reverse the decision appealed against;
- (b) give such directions as he thinks fit to the vehicle examiner for giving effect to his decision.]

Changes to legislation: There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 44. (See end of Document for details)

Extent Information

- E1** Following the repeal of this Act for E.W.S. by the Equality Act 2010, this section now extends to Northern Ireland only and also has effect subject to the modifications for Northern Ireland set out in Sch. 8 para. 28

Textual Amendments

- F1** Act repealed (E.W.S.) (1.10.2010 (except for the repeal of ss. 49A-49D) and 5.4.2011 in so far as not already in force) by [Equality Act 2010 \(c. 15\)](#), 216(3), Sch. 27 Pt. 1 (as substituted (1.10.2010) by [S.I. 2010/2279](#), [Sch. 2](#)) (with ss. 6(4), 205, and with amendments and savings in the said [S.I. 2010/2279](#), [art. 16](#)); [S.I. 2010/2317](#), [art. 2\(15\)\(f\)](#) (with arts. 4-25, [Schs. 1-16](#)); [S.I. 2011/1066](#), [art. 2\(h\)](#)

Modifications etc. (not altering text)

- C1** [Ss. 40-45](#): transfer of functions (N.I.) (8.5.2016) from the Department of the Environment to the Department for Infrastructure by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), [art. 1\(2\)](#), [Sch. 5 Pt. 2](#) (with [art. 9](#))

Commencement Information

- I1** [S. 44](#) fully in force at 21.1.2003; [s. 44](#) not in force at Royal Assent see [s. 70\(3\)\(6\)](#), [Sch. 8 para. 48\(1\)](#); [s. 44](#) in force for E.W.S. at 30.8.2000 by [S.I. 2000/1969](#), [art. 2](#); [s. 44](#) in force for N.I. at 21.1.2003 by [S.R. 3003/24](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Disability Discrimination Act 1995, Section 44.