

REGULATION 11: TRANSPORT APPEAL BOARD.

(1) The Minister shall from time to time, as occasion may require, by public or private notice, require the persons or bodies entitled to make nominations of members of the Transport Appeal Board to nominate one or more suitable persons to the number specified in the notice for appointment to the Board.

(2) All such nominations shall be in writing signed by the nominator (being an individual) or signed on behalf of the nominator (being a corporate body or unincorporated association of persons) by some presiding member or principal executive officer of the nominator, and shall be delivered to the Minister on or before a date to be specified in that behalf by the Minister in the notice aforesaid.

(3) If no suitable nominations are received for the appointment of a person to represent any persons or bodies as aforesaid, the Minister may likewise require more nominations to be made.

(4) Any nominations for appointment to the Transport Appeal Board received by the Minister before the commencement of these regulations may be accepted and dealt with as if they had been made pursuant to the provisions of this regulation.

(5) Any suitable officer of the Public Service may from time to time be appointed to be the Secretary of the Board.

(6) The Board may, in the hearing of an appeal, accept such evidence as it thinks fit, whether such evidence would be legally admissible in judicial proceedings or not.

(7) With the permission of the Board, but not otherwise, any party to an appeal may be represented by counsel, solicitor, or other agent.

(8) The Board shall conduct its sittings in public.

(9) Every appeal to the Transport Appeal Board from any decision of a Licensing Authority shall be commenced by petition in the Form K set out in the Schedule hereto or to the effect thereof, and shall be delivered in duplicate to the Commissioner of Transport within fourteen days after the date of the determination appealed against.

(10) A copy of any correspondence or other documents relating to the subject-matter of the appeal shall be attached to the petition.

(11) A copy of the petition, and of all documents attached thereto as required by the last preceding paragraph, shall be served by the appellant on the licensing authority concerned.

(12) The Commissioner shall forward the papers relative to the appeal to the Appeal Board, and shall notify such Local Authorities, bodies, and persons as in his opinion are directly concerned in the subject of the appeal of its having been made, and of the time and place fixed for the hearing.

(13) The Appeal Board may decline to proceed with the hearing of any appeal unless and until the foregoing provisions have been complied with, and until security to its satisfaction against the cost of the appeal has been provided by the appellant.

(14) A copy of every appeal and of the determination of the Transport Appeal Board thereon shall as soon as practicable after the termination of the proceedings be sent by the Secretary of the Appeal Board to the Commissioner of Transport, who shall thereupon notify the determination to the appellant, the appropriate Licensing Authority, and every other body and person who in the opinion of the Commissioner is directly concerned.

(15) Save as hereinbefore provided, the Appeal Board shall determine its procedure in such manner as it thinks fit.

REGULATION 12: ALLOWANCES FOR MEMBERS OF LICENSING AUTHORITIES AND TRANSPORT APPEAL BOARD.

(1) There shall be paid to each member of the Transport Appeal Board other than the Chairman and to each member of a District Licensing Authority for each day or part of a day on which he is travelling from or to his usual place of residence to or from sittings of the Board or Authority, or occupied at sittings of the Board or Authority, a fee of £2 16s. 8d. in the case of the Chairman of the Authority and £1 17s. 9d. in the case of any member of the Board or Authority other than the Chairman.

(2) There shall be paid to each member of the Central Licensing Authority during his term of office an allowance at the rate of £550 per annum in the case of the Chairman and £350 per annum in the case of every other member.

(3) In addition to the payments authorized by clauses (1) and (2) of this regulation there shall be paid to each member of the Transport Appeal Board, a District Licensing Authority, and the Central Licensing Authority respectively for each day or part of a day on which he is travelling from or to his usual place of residence to or from sittings of such Board or Authority, as the case may be, a further allowance of £1 2s. 6d.

(4) The allowances payable in terms of the foregoing clauses of this regulation shall be in addition to any travelling-expenses payable pursuant to section 13 of the said Act.

(5) The provisions of this regulation shall not apply to any member of a Metropolitan Authority.

(6) The provisions of this regulation shall not apply to any person who is an officer in the service of the Government, but any such persons shall receive while absent from his usual place of residence the same travelling expenses and allowances as are paid in the like circumstances to such person as an officer of the Public Service or under the terms of his appointment.

(7) No claim of any person for any payment under this regulation or under section 13 of the said Act shall be recognized unless such claim sets out the days claimed for, and is accompanied by the certificate of such person stating that on the days claimed for he was engaged about the business of the Board or Authority, as the case may be, and incurred the expenses set out in the claim.

(8) Such certificate shall be in the following form:—

I [*Full name*] hereby certify that I was travelling from or to my usual place of residence to or from sittings of the [*Name of Board or authority*] on the days shown in this voucher, and that I am entitled to the payments and incurred the expenses and made the disbursements indicated in the claim.