
DRAFT STATUTORY INSTRUMENTS

2009 No.

The Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009

Citation, commencement and extent

1.—(1) This Order may be cited as the Transfer of Functions (Transport Tribunal and Appeal Panel) Order 2009 and comes into force on 1st September 2009.

(2) The amendments made by paragraphs 6 and 7 of Schedule 1 do not extend to Scotland.

Transfer of functions of the Transport Tribunal and Appeal Panel

2.—(1) The functions of the Transport Tribunal under the Road Traffic Act 1988(1), the Road Traffic Offenders Act 1988(2), the Postal Services Act 2000(3), the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007(4) and the European Communities (Recognition of Professional Qualifications) Regulations 2007(5) are transferred to the First-tier Tribunal.

(2) The functions of the panel of persons appointed by the Lord Chancellor under section 189(6) of the Greater London Authority Act 1999(6) are transferred to the First-tier Tribunal.

(3) The functions of the Transport Tribunal under the Public Passenger Vehicles Act 1981(7), the Transport Act 1985(8), the Goods Vehicles (Licensing of Operators) Act 1995(9), section 155 of the Transport Act 2000(10), the Local Transport Act 2008(11), the Goods Vehicles (Community Authorisations) Regulations 1992(12), the Public Service Vehicles (Community Licences) Regulations 1999(13), the Road Transport (Passenger Vehicles Cabotage) Regulations 1999(14) and the Goods Vehicles (Enforcement Powers) Regulations 2001(15) are transferred to the Upper Tribunal.

Additional offices to be held by persons who are members of the Transport Tribunal

3. A person who, immediately before this Order comes into force, holds an office listed in column (1) of the following table is in addition to hold the office or offices listed in the corresponding entry in column (2) of that table.

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- (1) 1988 c. 52.
(2) 1988 c. 53.
(3) 2000 c. 26.
(4) S.I. 2007/605.
(5) S.I. 2007/2781.
(6) 1999 c. 29.
(7) 1981 c. 14.
(8) 1985 c. 67.
(9) 1995 c. 23.
(10) 2000 c. 38.
(11) 2008 c. 26.
(12) S.I. 1992/3077.
(13) S.I. 1999/1322.
(14) S.I. 1999/3413.
(15) S.I. 2001/3981.

<i>(1)</i>	<i>(2)</i>
<i>Office held</i>	<i>Office or offices to be held</i>
President of the Transport Tribunal appointed under paragraph 2(1)(a) of Schedule 4 to the Transport Act 1985 ⁽¹⁶⁾	Transferred-in judge of the Upper Tribunal
Chairman of the Transport Tribunal appointed under paragraph 2(1)(a) of Schedule 4 to the Transport Act 1985	Transferred-in judge of the Upper Tribunal
Other member of the Transport Tribunal appointed under paragraph 2(1)(b) of Schedule 4 to the Transport Act 1985	Transferred-in other member of the Upper Tribunal

Consequential and transitional provisions

4.—(1) Schedule 1 contains amendments to primary legislation as a consequence of the transfer effected by this Order.

(2) Schedule 2 contains amendments to secondary legislation as a consequence of the transfer effected by this Order.

(3) Schedule 3 contains repeals and revocations as a consequence of the amendments in Schedules 1 and 2.

(4) Schedule 4 contains transitional and saving provisions.

By the authority of the Lord Chancellor

Date

Parliamentary Under-Secretary of State
Ministry of Justice