



# Transport Act 1985

## 1985 CHAPTER 67

### PART I

#### GENERAL PROVISIONS RELATING TO ROAD PASSENGER TRANSPORT

##### *Registration of local services*

#### **6 Registration of local services.**

- (1) In this section “service” means a local service which is neither a London local service nor a service provided under an agreement with the Railways Board [<sup>F1</sup>or the Director of Passenger Rail Franchising] (under section 4A of the 1962 Act) where a railway service has been temporarily interrupted.
- (2) Subject to regulations under this section, no service shall be provided in any traffic area in which there is a stopping place for the service unless—
  - (a) the prescribed particulars of the service have been registered with the traffic commissioner for that area by the operator of the service;
  - (b) the period of notice in relation to the registration has expired; and
  - (c) the service is operated in accordance with the registered particulars.
- (3) In subsection (2) above “the period of notice”, in relation to any registration, means, subject to regulations under this section—
  - (a) the period prescribed for the purposes of this subsection; or
  - (b) if longer, the period beginning with the registration and ending with the date given to the traffic commissioner by the operator as the date on which the service will begin.
- (4) An application for registration shall only be accepted from a person who either holds an unconditional PSV operator’s licence or a permit under section 22 of this Act or is using, or proposing to use, a school bus belonging to that person for farepaying passengers in accordance with section 46(1) of the 1981 Act.

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*Status: Point in time view as at 17/08/1996. This version of this provision has been superseded.*

*Changes to legislation: Transport Act 1985, Section 6 is up to date with all changes known to be in force on or before 16 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (5) In subsection (4) above “unconditional”, in relation to a PSV operator’s licence, means a licence which does not have attached to it a condition imposed under section 26(1) of this Act prohibiting, or having the effect of prohibiting, the operator from using vehicles under the licence to provide the service to which the application in question relates.
- (6) In this Act any reference to a service registered under this section is a reference to a service in respect of which the prescribed particulars are registered under this section.
- (7) Any registration may be varied or cancelled on an application made by the operator of the service to which it relates.
- (8) Subject to regulations under this section, the variation or cancellation of a registration shall become effective—
- (a) on the expiry of the period beginning with the date on which the traffic commissioner accepts the application and ending with the date determined in accordance with regulations under this section; or
  - (b) if later, on the day given to the traffic commissioner by the operator as the effective date for the variation or (as the case may be) cancellation.
- (9) Regulations may be made for the purpose of carrying this section into effect and any such regulations may, in particular, make provision—
- (a) for permitting the variation of a registered service, in such circumstances as may be prescribed, without variation of the registration;
  - (b) for excluding or modifying the application of subsection (3) or (8) above in such cases or classes of case as may be prescribed;
  - (c) that in such cases or classes of case as may be prescribed—
    - (i) subsection (2) above shall have effect as if for the reference in paragraph (b) to the period of notice there were substituted a reference to such period as the traffic commissioner may determine;
    - (ii) subsection (8) above shall have effect as if for the reference in paragraph (a) to the date on which the period mentioned in that paragraph is to expire there were substituted a reference to such date as he may determine;
  - (d) as to the procedure for applying for registration or for the variation or cancellation of a registration;
  - (e) for an application for registration or for the variation or cancellation of a registration not to be accepted by the traffic commissioner to whom it is made unless the applicant gives to the commissioner such information as he may reasonably require in connection with the application;
  - (f) as to the traffic commissioner to whom an application for registration is to be made in the case of services which will run through the areas of two or more traffic commissioners;
  - (g) as to the documents (if any) to be issued by a traffic commissioner with respect to registrations;
  - (h) as to the cancellation of registrations relating to discontinued services;
  - (i) for enabling a traffic commissioner to require the operator of a registered service, in such circumstances as may be prescribed, to keep records of such matters relating to the operation of the service, in such manner, as may be prescribed;

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- (j) for requiring the operator of a registered service who is required to keep records by regulations made by virtue of paragraph (i) above to make those records available to the traffic commissioner;
- (k) for requiring the operator or prospective operator of a registered service to give, to such persons and at such times as may be prescribed, such information as may be prescribed with respect to the service, or proposed service, or any proposal to vary or cancel the registration of the service;
- (l) for excluding from the application of this section services which are—
  - (i) excursions or tours; or
  - (ii) excursions or tours falling within a prescribed class.

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#### **Textual Amendments**

**F1** Words in s. 6(1) inserted (14.7.1994) by S.I. 1994/1649, art. 2 Sch. para 2(a)

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#### **Modifications etc. (not altering text)**

**C1** S. 6 excluded by S.I. 1986/1671, reg. 10

**C2** S. 6 excluded (21.7.1994) by 1994 c. xv, s. 73(3)

S. 6-9 applied (28.7.1998) by 1998 c. iii, s. 1, Sch. s. 54 of Order

Ss. 6-9 restricted (E.W.)(*prosp.*) by 2000 c. 38, ss. 129(1)-(3), 275

Ss. 6-9: power to modify conferred (E.W.)(*prosp.*) by 2000 c. 38, ss. 134(2)(a), 275

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