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DRAFT STATUTORY INSTRUMENTS

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**2009 No. [xx]**

**TRIBUNALS AND INQUIRIES**

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

*Made* - - - - *\*\*\**  
*Coming into force* *1st September 2009*

**THE TRANSFER OF FUNCTIONS (TRANSPORT  
TRIBUNAL AND APPEAL PANEL) ORDER 2009**

1. Citation, commencement and extent
  2. Transfer of functions of the Transport Tribunal and Appeal Panel
  3. Additional offices to be held by persons who are members of the Transport Tribunal
  4. Consequential and transitional provisions
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SCHEDULE 1 — Consequential provisions – primary legislation

1. Public Passenger Vehicles Act 1981
2. In section 50 (appeals to the Transport Tribunal)—
3. In section 54(8)(c) (inquiries held by traffic commissioners) for “Transport...”
4. In paragraph 12 of Schedule 2A (appeal to Transport Tribunal...)
5. Transport Act 1985
6. In section 6A (applications for registration etc where restrictions are...)
7. In section 9 (appeals against traffic regulation conditions)—
8. In section 117(2) (reconstitution of the Transport Tribunal) at the...
9. In Schedule 4 (constitution, powers and proceedings of the Transport...)
10. Road Traffic Act 1988
11. In section 131 (appeals)— (a) in subsections (1) and (2)...
12. In section 133ZA(5)(b) (training) for “Transport Tribunal” substitute “First-tier Tribunal”....
13. In section 162A(3)(e) (approved test assistants) for “Transport Tribunal” substitute...
14. Road Traffic Offenders Act 1988

15. In section 30C(5)(f) (approval of courses) for “Transport Tribunal” substitute...
16. In section 34BA(5)(f) (approval of courses) for “Transport Tribunal” substitute...
17. In section 34F(5)(f) (approval of programmes) for “Transport Tribunal” substitute...
18. Goods Vehicles (Licensing of Operators) Act 1995
19. In section 24(5) and (9)(a) (interim operators’ licences) for “Transport...”
20. In section 29 (revocation and disqualification etc)—
21. In section 35(4)(c) (power of traffic commissioners to hold inquiries)...
22. In section 37 (right of appeal in connection with operators’...
23. In paragraph 11 of Schedule 1A (detention of vehicles used...
24. Greater London Authority Act 1999
25. Postal Services Act 2000
26. Transport Act 2000
27. Local Transport Act 2008

#### SCHEDULE 2 — Consequential provisions – secondary legislation

1. Department of Transport (Fees) Order 1988
2. Goods Vehicles (Community Authorisations) Regulations 1992
3. Public Service Vehicles (Community Licences) Regulations 1999
4. In regulation 2(2) (interpretation) omit the definition for “Transport Tribunal”....
5. In regulation 6 (rights of appeal) for “Transport Tribunal” substitute...
6. Road Transport (Passenger Vehicles Cabotage) Regulations 1999
7. Goods Vehicles (Enforcement Powers) Regulations 2001
8. In regulation 13 (appeals from a determination of a traffic...
9. In regulation 14 (return of a vehicle detained) for “Transport...”
10. In regulation 15(1)(b) (disposal of vehicles) for “Transport Tribunal” substitute...
11. Vehicle Drivers (Certificates of Professional Competence) Regulations 2007
12. European Communities (Recognition of Professional Qualifications) Regulations 2007
13. Department for Transport (Fees) Order 2009

#### SCHEDULE 3 — Repeals and Revocations

#### SCHEDULE 4 — Transitional and saving provisions

1. Transitional and saving provisions
2. (1) The following sub-paragraphs apply where proceedings are continued in...
3. In respect of proceedings referred to in paragraph 1(1) where...
4. In respect of proceedings referred to in paragraph 1(3) where...
5. Any case to be remitted by a court on or...
6. Staff appointed to the Transport Tribunal before 1st September 2009...
7. In respect of proceedings referred to in paragraph 1, a...

Explanatory Note