

SCHEDULES

SCHEDULE 1

Sections 2 and 3.

PUBLIC SERVICE VEHICLES : CONDITIONS AFFECTING STATUS OR CLASSIFICATION

PART I

SHARING OF TAXIS AND HIRE-CARS

- 1 The making of the agreement for the payment of separate fares must not have been initiated by the driver or by the owner of the vehicle, by any person who has made the vehicle available under any arrangement, or by any person who receives any remuneration in respect of the arrangements for the journey.
- 2 (1) The journey must be made without previous advertisement to the public of facilities for its being made by passengers to be carried at separate fares, except where the local authorities concerned have approved the arrangements under which the journey is made as designed to meet the social and welfare needs of one or more communities, and their approvals remain in force.
(2) In relation to a journey the local authorities concerned for the purposes of this paragraph are those in whose area any part of the journey is to be made; and in this sub-paragraph " local authority " means—
 - (a) in relation to England and Wales, the Greater London Council or a county council;
 - (b) in relation to Scotland, a regional or islands council.
- 3 The journey must not be made in conjunction with, or in extension of, a service provided under a road service licence if the vehicle is owned by, or made available under any arrangement with, the holder of the licence or any person who receives any remuneration in respect of the service provided under it or in respect of arrangements for that service.

PART II

PARTIES OF OVERSEAS VISITORS

- 4 Each of the passengers making the journey must have been outside Great Britain at the time of concluding his arrangements to make the journey.

PART III

ALTERNATIVE CONDITIONS AFFECTING STATUS OR CLASSIFICATION

- 5 Arrangements for the bringing together of all the passengers for the purpose of making the journey must have been made otherwise than by, or by a person acting on behalf of—
- (a) the holder of the operator's licence under which the vehicle is to be used, if such a licence is in force,
 - (b) the driver or the owner of the vehicle or any person who has made the vehicle available under any arrangement, if no such licence is in force,
- and otherwise than by any person who receives any remuneration in respect of the arrangements.
- 6 The journey must be made without previous advertisement to the public of the arrangements therefor.
- 7 All the passengers must, in the case of a journey to a particular destination, be carried to, or to the vicinity of, that destination, or, in the case of a tour, be carried for the greater part of the journey.
- 8 No differentiation of fares for the journey on the basis of distance or of time must be made.

PART IV

SUPPLEMENTARY

- 9 For the purposes of paragraphs 2 and 6 no account shall be taken of any such advertisement as follows, that is to say—
- (a) a notice displayed or announcement made—
 - (i) at or in any place of worship for the information of persons attending that place of worship;
 - (ii) at or in any place of work for the information of persons who work there ; or
 - (iii) by any club or other voluntary association at or in any premises occupied or used by the club or association ;
 - (b) a notice or announcement contained in any periodical published for the information of, and circulating wholly or mainly among—
 - (i) persons who attend or might reasonably be expected to attend a particular place of worship or a place of worship in a particular place ; or
 - (ii) persons who work at a particular place of work or at any of two or more particular places of work; or
 - (iii) the members of a club or other voluntary association.

SCHEDULE 2

Section 12.

ORDERS DESIGNATING TRIAL AREAS

Applications for designation orders

- 1 (1) not less than 21 days before making an application to the Minister for a designation order in respect of any area the local authority concerned shall publish in one or more relevant newspapers a notice describing the area in question and stating their intention to apply for a designation order in respect of it and the date on which they propose to make the application.
- (2) For the purposes of any notice under this paragraph a "relevant newspaper" is any local newspaper which the local authority concerned may consider appropriate.
- 2 (1) Before making such an application the local authority concerned shall also notify—
- (a) every local authority (if any) whose area adjoins the area specified in the application ;
 - (b) every district council whose area is wholly or partly comprised in, or adjoins, the area so specified ;
 - (c) any person who is already providing a stage carriage service in the area so specified ; and
 - (d) such organisations as appear to the local authority concerned appropriate as representing persons providing or employed in the provision of public passenger transport services in the area so specified.
- (2) In this paragraph " public passenger transport services " has the meaning given by section 1(2) of the Transport Act 1978.
- 3 Every application for a designation order shall be accompanied by the original or a copy of any representations in writing (by whoever made) which relate to the application and were received by the local authority concerned before the date on which the application is made; and before making a designation order the Minister shall consider any such representations.

Variation or revocation of designation orders

- 4 Before making an application to the Minister for an order under section 12(4) varying or revoking a designation order the local authority concerned—
- (a) shall notify—
 - (i) every local authority (if any) whose area adjoins the trial area in question ;
 - (ii) every district council whose area adjoins the trial area;
 - (iii) any person who is for the time being providing a stage carriage service in the trial area; and
 - (iv) such organisations as appear to the local authority concerned appropriate as representing persons providing or employed in the provision of public passenger transport services (within the meaning of paragraph 2) in the trial area ; and
 - (b) shall consult with every district council whose area is wholly or partly comprised in the trial area.

Status: This is the original version (as it was originally enacted).

- 5 Paragraph 3 shall apply in relation to an application for, and the making of, an order under section 12(4) as it applies in relation to an application for, and the making of, a designation order.
- 6 (1) Subject to sub-paragraph (2), an order under section 12 which revokes or varies a designation order may contain such transitional provisions as the Minister thinks fit.
- (2) An order under section 12(4) which revokes a designation order or varies it so as to exclude from the area designated by it any part of that area shall contain such transitional provisions as the Minister thinks fit for securing that any person who has, throughout the relevant period ending with the date of the order, provided a stage carriage service which he will be unable to continue to provide after the time when the revocation or variation takes effect unless granted a road service licence in respect of it, can obtain as of right a road service licence that will enable him to continue to provide that service for as long as the licence remains in force after that time.
- (3) In sub-paragraph (2) " the relevant period ", in relation to an order under section 12(4), means such period of not less than three months as may be specified in the order.

SCHEDULE 3

Sections 21(2) and 23(6).

SUPPLEMENTARY PROVISIONS AS TO QUALIFICATIONS FOR PSV OPERATOR'S LICENCE

Good repute

- 1 (1) In determining whether an individual is of good repute, traffic commissioners shall have regard to all the relevant evidence and in particular to—
- (a) relevant convictions of his and of his employees and agents ; and
 - (b) such other information as the commissioners may have as to his previous conduct, in whatever capacity, in relation to the operation of vehicles of any description in the course of a business.
- (2) In determining whether a company is of good repute, traffic commissioners shall have regard to all the relevant evidence and in particular to—
- (a) relevant convictions of the company and its officers, employees and agents;
 - (b) such other information as the commissioners may have as to the previous conduct of—
 - (i) the company's officers, employees and agents in relation to the operation of vehicles of any description in the course of any business carried on by the company ; and
 - (ii) each of the company's directors, in whatever capacity, in relation to the operation of vehicles of any description in the course of any other business.

Appropriate financial standing

- 2 Being of appropriate financial standing in relation to an applicant for, or holder of, a PSV operator's licence consists in having available sufficient financial resources to ensure the establishment and proper administration of the business carried on, or proposed to be carried on, under the licence.

Status: This is the original version (as it was originally enacted).

Professional competence

- 3 References in this Part of this Act to professional competence are to the professional competence of an individual; and a company satisfies the requirement as to professional competence if, and so long as, it has a transport manager of its road passenger transport business who is of good repute and professionally competent.
- 4 Where an individual is not himself professionally competent, the requirement as to professional competence shall be regarded as satisfied in relation to him if, and so long as, he has a transport manager of his road passenger transport business who is of good repute and professionally competent.
- 5 Where the holder of a PSV operator's licence relies on a transport manager to satisfy the requirement as to professional competence and that manager—
- (a) dies or ceases by reason of physical disability or mental disorder to be capable of discharging his duties as transport manager;
 - (b) ceases to work for the business ; or
 - (c) ceases to be of good repute,
- the holder shall nevertheless not be treated as failing to satisfy that requirement until the expiry of such period as in the opinion of the relevant traffic commissioners is reasonably required for the appointment of a new transport manager.
- 6 Subject to paragraph 10, an individual shall be regarded as professionally competent for the purposes of this Part of this Act if, and only if.—
- (a) he is the holder of a certificate issued by an approved body to the effect that he possesses the requisite skills ; or
 - (b) he is the holder of any other certificate of competence, diploma or other qualification recognised for the purposes of this paragraph by the Minister.
- 7 In paragraph 6 " approved body " means—
- (a) a body approved by the Minister for the purposes of that paragraph; or
 - (b) a body approved by the Department of the Environment for Northern Ireland for the purposes of section 46A(5)(c) of the Transport Act (Northern Ireland) 1967 ; or
 - (c) a body or authority designated by another member State for the purposes of Article 2(4) of Council Directive (EEC) 74/562 of 12th November 1974 on admission to the occupation of road passenger transport operator in national and international transport operations ;
- and " the requisite skills " means skills in the subjects listed in Part A of the Annex to that Directive and, in the case of a licence to cover international operations, also skills in the subjects listed in Part B of that Annex.

Persons engaged in road passenger transport before 1st January 1978

- 8 (1) Paragraphs 9 and 10 apply only to persons applying for, and to holders of, standard licences, and accordingly in those paragraphs " a licence " means a standard licence.
- (2) For the purposes of those paragraphs, a person was authorised to engage in the occupation of road passenger transport operator at any time if, and only if, at that time—
- (a) he was the holder, or one of the joint holders, of a public service vehicle licence under section 127 of the Road Traffic Act 1960, or the corresponding provision of the law of Northern Ireland, relating to a vehicle adapted to carry more than eight passengers ; or

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- (b) he was by virtue of a permit under Regulation 20 of the Public Service Vehicles (Licences and Certificates) Regulations 1952, or the corresponding provision of the law of Northern Ireland, deemed to be the holder or one of the joint holders of such a licence ; or
- (c) he was so authorised under the law of another member State; or
- (d) he was the transport manager of a person within paragraph (a), (b) or (c).
- 9 (1) An individual or company authorised to engage in the occupation of road passenger transport operator at any time before 1st January 1978 shall be deemed until the contrary is proved to satisfy the requirements to be of good repute and appropriate financial standing and, if so authorised before 1st January 1975, also to satisfy the requirement as to professional competence.
- (2) An applicant for a PSV operator's licence, or for the variation of such a licence, shall not be obliged to furnish to the traffic commissioners in support of his application information relating to a requirement which is deemed to be satisfied by virtue of subparagraph (1) unless it appears to the commissioners that there are grounds for thinking that the requirement is not in fact satisfied.
- 10 For the purpose of this Part of this Act, an individual shall be regarded as professionally competent if he was authorised to engage in the occupation of road passenger transport operator before 1st January 1978, and was so authorised—
- (a) for a period of, or for periods amounting in the aggregate to, two years during the period 1st January 1975 to 31st December 1979; or
- (b) at any time in the period 1st January 1970 to 31st December

SCHEDULE 4

Section 40.

INCREASE OF PENALTIES IN THE 1960 ACT

<i>Provision creating offence</i>	<i>General nature of offence</i>	<i>Existing maximum punishment</i>	<i>New maximum punishment</i>	<i>Amendment</i>
Section 144	Unlicensed person driving public service vehicle, or employment of such a person.	£100	£500	In section 144(8) for "£100" substitute " £500".
Section 146(2)	Contravention of regulations as to conduct of persons licensed to act as drivers of public service vehicles.	£20	£50	In section 146(2) for "£20" substitute " £50".
Section 146(3)	Failure to produce driver's licence for	£100	£200	In section 146(3) for "£100" substitute " £200".

Status: This is the original version (as it was originally enacted).

<i>Provision creating offence</i>	<i>General nature of offence</i>	<i>Existing maximum punishment</i>	<i>New maximum punishment</i>	<i>Amendment</i>
Section 147(2)	purpose of endorsement. Contravention of regulations as to conduct of passengers in public service vehicles.	£100	£200	In section 147(2) for "£100" substitute " £200".
Section 157(2)	Failure by person carrying on the business of operating public service vehicles to keep accounts and records and to make financial and statistical returns.	£100	£200	In section 157(2) for "£100" substitute " £200".
Section 235	Making of false statements.	£200	£500	In section 235(3) for "£200" substitute " £500".
Section 249(2)	Failure to comply with an order requiring evidence to be given or documents to be produced at an inquiry.	£25	£200	In section 249(2) for the words from " to a fine" onwards substitute " to a fine not exceeding £200".

SCHEDULE 5

Section 43.

MINOR AND CONSEQUENTIAL AMENDMENTS RELATING TO PUBLIC SERVICE VEHICLES

PART I

AMENDMENTS OF [ROAD TRAFFIC ACT 1960 \(C.16\)](#)

- 1 (1) Section 128 (certifying officers and public service vehicle examiners) shall be amended as follows.
 - (2) In subsection (1) (appointment and duties of certifying officers) before " fitness ", where last occurring, insert " initial .

Status: This is the original version (as it was originally enacted).

- (3) In subsection (2) (appointment of public service vehicle examiners), for " shall appoint" substitute " may, with the approval of the Minister for the Civil Service, appoint ".
- (4) For subsection (3) substitute—
- “(3) A certifying officer or public service vehicle examiner shall, in exercising any of the functions of such an officer or examiner, act under the general directions of the Minister.”
- 2 In section 130 (approval of type vehicles), in subsection (3) (withdrawal of approval), for the words from " and " onwards substitute " and thereafter no certificate that any other vehicle conforms to the type vehicle shall be issued ; but as regards any such certificate previously issued, the withdrawal of the approval shall not affect the operation of that certificate for the purposes of section 17 of the Transport Act 1980 (certificates of initial fitness or their equivalents). "
- 3 (1) Section 131 (certificates of fitness for experimental vehicles) shall be amended as follows.
- (2) For subsection (1) (and the side-note), substitute—
- “131 Modification of s. 17 of Transport Act 1980 in relation to experimental vehicles.**
- (1) Where it appears to the Minister expedient to do so for the purpose of the making of tests or trials of a vehicle or its equipment, he may by order made in respect of that vehicle for the purposes of section 17 of the Transport Act 1980 dispense with such of the prescribed conditions as to fitness referred to in subsection (1)(a) of that section as are specified in the order.
- (1A) While such an order is in force in respect of a vehicle, the said section 17 shall have effect in relation to the vehicle as if the prescribed conditions as to fitness referred to in subsection (1)(a) of that section did not include such of those conditions as are dispensed with by the order.”.
- (3) For subsections (4) and (5) substitute—
- “(4) Where an order under this section in respect of a vehicle is revoked or otherwise ceases to have effect, any certificate of initial fitness issued under section 17 of the Transport Act 1980 in respect of the vehicle while the order was in force shall, for the purpose of that section as regards any use of the vehicle after the order has ceased to have effect, be deemed never to have been issued.”.
- 4 In section 144 (drivers' licences)—
- (a) in subsection (3), for " either such " substitute " such a ";
- (b) in subsection (6) (duration of licences), for "three years" substitute " five years "; and
- (c) after subsection (8) insert—
- “(9) Notwithstanding section 2(1) of the Transport Act 1980, in this section and sections 145 to 148 of this Act " public service vehicle " shall be construed as meaning a stage, express or contract carriage.”.

Status: This is the original version (as it was originally enacted).

- 5 (1) Section 146 (regulation of conduct of drivers and conductors) shall be amended as follows.
- (2) For subsection (1) (power to make regulations as to conduct of drivers or conductors of public service vehicles) substitute—
- “(1) Regulations may make provision for regulating the conduct, when acting as such, of—
- (a) persons licensed to act as drivers of public service vehicles; and
- (b) conductors of such vehicles.”.
- (3) In subsection (2) (penalty for contravention of regulations), after the words " £20, and " insert " , in the case of an offence by a person acting as driver, " .
- 6 (1) Section 146 (regulation of conduct of drivers and conductors) and section 147 (regulation of conduct of passengers) shall apply in relation to inspectors as they apply in relation to conductors.
- (2) In sub-paragraph (1) " inspector ", in relation to a public service vehicle, means a person authorised to act as such by the holder of the PSV operator's licence under which the vehicle is being used.
- (3) In section 147(1)(d) the words " or other person authorised by the licensee of the vehicle " shall be omitted.
- 7 Section 149 (power of Minister to modify restrictions on use of roads by public service vehicles) shall cease to have effect.
- 8 In section 152 (wages and conditions of employment of persons employed in connection with public service vehicles), for any reference to, or to the holder of, a public service vehicle licence or to the holder of a road service licence there shall be substituted a reference to, or to the holder of, a PSV operator's licence.
- 9 (1) Section 153 (procedure of traffic commissioners) shall be amended as follows.
- (2) Omit subsection (2) (requirement to hold public sittings for certain purposes).
- (3) In subsection (3), for " of an application " substitute " of an opposed application for the grant of a road service licence ", and after " where " insert " such " .
- (4) In subsection (4) (power of commissioners to delegate functions to one of their members), for " requiring to be discharged at a public sitting " substitute " of hearing and determining opposed applications for the grant of road service licences " .
- (5) After subsection (4) insert—
- “(5) So much of subsection (3) above as requires not less than two commissioners to be present at the hearing of an opposed application for the grant of a road service licence shall not apply—
- (a) to so much of the hearing of any such application as is devoted to determining whether the commissioners are satisfied as mentioned in section 8(1) or 9(1) of the Transport Act 1980 (grant of road service licences for services on routes not otherwise served, or for certain excursions or tours); or
- (b) to the remainder of the hearing of any such application in the case of which the commissioners have determined that they are so satisfied.

Status: This is the original version (as it was originally enacted).

- (6) In this section 'opposed application' means an application with respect to which an objection has been made and not withdrawn, being an objection to which the traffic commissioners are obliged to have regard by virtue of section 5(3)(c) of the Transport Act 1980.”
- 10 In section 158 (power to regulate procedure on applications for licences etc.), in paragraph (a)—
- (a) for " public service vehicle licences " substitute " PSV operators' licences "; and
 - (b) after " road service licences ", in the second place where it occurs, insert " or PSV operators' licences ".
- 11 In section 160(1) (regulations for purposes of Part III)—
- (a) in paragraphs (b) and (g), before " fitness " insert " initial ";
 - (b) in paragraph (cc) for " section 5(6)" substitute " section 5(2) ";
 - (c) for paragraphs (k) to (a) substitute—
 - “(k) for providing that this Part of this Act, or any provision thereof, shall have effect in relation to—
 - (i) public service vehicles registered in Great Britain, while making journeys to or from places outside Great Britain ; and
 - (ii) public service vehicle registered outside great Britain,
 with such additions, omissions, alteration or other modification (wether conditional or not)as may be prescribed ;”;
 - (d) for " and different regulations may be made " substitute " and regulations under these actions may make different provision for different circumstance, and may in particular make different provision "
- 12 The documents to which section 233(forgery and misuse of documents, etc.) applies shall include—
- (a) a certificate of initial fitness under section 17 of this Act
 - (b) an operator's disc under section 24 of this Act ;
 - (c) a certificate under section 27 of this Act as to the repute, financial standing or professional competence of any person ;
 - (d) a certificate under section 130 of the 1960 Act that a vehicle conforms to a type vehicle ; and
 - (e) a document evidencing the appointment of a person as a certifying officer or public service vehicle examiner ;
- and in section 235 (false statements to obtain licence, etc.) the reference to obtaining the grant of a licence shall include a reference to obtaining the issue of such a certificate or disc.
- 13 In section 248 (power to hold inquiries) after "the London Government Act 1963 " insert " or section 23A of the Transport (London) Act 1969 ".
- 14 In section 257(1) (general interpretation), for the words from " and the expressions" onwards substitute " and any expression used in this Part of this Act which is defined for the purposes of Part III of this Act or Part I of the Transport Act 1980 has the same meaning in this Part of this Act as in those Parts. ".

- 15 In section 260(2) (consultation before regulations are made), for " or they think " substitute " thinks ".

PART II

OTHER AMENDMENTS

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1953 (c. 26)

In section 4 (power of local authority to provide bus shelters), in subsection (4) (definitions), for the words from " and the references " onwards substitute " and " public service vehicle " has the meaning which it would have in Part I of the Transport Act 1980 if in section 2(1) of that Act the words " (other than a tramcar)" were omitted."

LOCAL GOVERNMENT (OMNIBUS SHELTERS AND QUEUE BARRIERS) (SCOTLAND) ACT 1958 (c. 50)

In section 7(1) (interpretation), after the definition of " local authority " insert—
“" public service vehicle " has the meaning which it would have in Part I of the Transport Act 1980 if in section 2(1) of that Act the words " (other than a tramcar)" were omitted.”.

TRANSPORT ACT 1962 (c. 46)

In section 4(5) (by virtue of which the Railways Board are not authorised to carry passengers by road in certain hackney carriages adapted to carry less than eight passengers), for " eight" substitute " nine".

FINANCE ACT 1965 (c. 25)

In section 92 (grants towards duty charged on bus fuel), in the definition of "operator" in subsection (8), after paragraph (c) insert—

- “(d) if and to the extent that the service operates within a trial area (within the meaning of Part I of the Transport Act 1980), the person by whom the service is provided;”.

ROAD TRAFFIC REGULATION ACT 1967 (c. 76)

- 1 So much of subsection (3) of section 1 as prevents a prohibition or restriction on waiting imposed by a traffic regulation order under that section from applying to an express carriage shall cease to have effect.
- 2 In sections 6(8) and 9(8), for the words from " section 135(8)" to " 1960 " substitute " section 28 of the Transport Act 1980 ".
- 3 In section 104(1) (interpretation), for the words from " shall be construed " onwards substitute " have the same meaning as in Part I of the Transport Act 1980".
- 4 (1) Schedule 5 (speed limits for vehicles of certain classes) shall be amended as follows.
- (2) In paragraph 1—
- (a) for "7 passengers", wherever occurring, substitute "8 passengers" ;

Status: This is the original version (as it was originally enacted).

- (b) in sub-paragraphs (1) and (5), for the words from " in respect" to " force " substitute " while being used under a PSV operator's licence "; and
 - (c) in sub-paragraph (2), for the words from " and " onwards substitute " while being used otherwise than under a PSV operator's licence ".
- (3) In paragraph 26, after the definition of "maximum gross weight" insert —
 ““PSV operator's licence means " a PSV operator's licence granted under Part I of the Transport Act 1980 ;”.
- (4) This paragraph does not affect the power to vary Schedule 5 by regulations under section 78.

TRANSPORT ACT 1968 (c. 73)

In section 159(1) (interpretation)—

- (a) for the definition of " excursion or tour " substitute—
 “" excursion or tour " means a stage or express carriage service on which the passengers travel together on a journey. with or without breaks, from one or more places to one or more other places back;”;
- (b) for a definition of " bus service" substitute —
 “"bus service" means a stage carriage service within the meaning of part I of the Transport Act 1980 which is neither —
 (a) an excursion or tour ; nor
 (b) a service as regards which the condition specified in section 3(3)(a) of the Transport Act 1980 (long journeys only) is satisfied ;”.

TRANSPORT (LONDON) ACT 1969 (c. 35)

- 1 In section 23(7) (regulation of London bus services : interpretation) after the definition of " road service licence " insert—
 “" service of express carriages " means an express carriage service within the meaning of Part I of the Transport Act 1980 or a stage carriage service within the meaning of that Part as to which the condition in section 3(3)(a) of that Act (long journeys only) is satisfied.”.
- 2 In section 24(4)(c), for "sections 135(8) and 163(1)" substitute "section 163(1) ".

ROAD TRAFFIC ACT 1972 (c. 20)

In section 44(4) (test certificates: exemption for certain public service vehicles), for " eight" substitute " nine ".

ROAD TRAFFIC (FOREIGN VEHICLES) ACT 1972 (c. 27)

- 1 In section 4(2)(b) (circumstances in which drivers of foreign public service vehicles may be required to produce certain documents)—
- (a) for " section 127(1) of the Road Traffic Act 1960 " substitute section 19(1) of the Transport Act 1980 " ; and
 - (b) for "brought into Great Britain to carry persons staying there temporarily" substitute " registered outside Great Britain ".

Status: This is the original version (as it was originally enacted).

- 2 In section 7 (interpretation), in the definition of " public service vehicle" for "sections 117 and 118" substitute " Part III ".
- 3 In Schedule 1 (enactments conferring functions on examiners), for "Section 128(3) of the Road Traffic Act 1960" substitute "Section 16(1) of the Transport Act 1980 ".

ROAD TRAFFIC ACT 1974 (c. 50)

An order under section 24(4) of the Road Traffic Act 1974 appointing a day for the coming into operation of the repeal by that Act of section 130 of the 1960 Act may include provision, to take effect on that day, for the repeal of sections 17(1)(6) and 28(6)(6) of, and paragraphs 2 and 12(d) of Part I of Schedule 5 to, this Act.

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 (c. 57)

- 1 In section 63(3)(6) (hackney carriage stands not to be appointed so as to impede use of authorised stopping places by public service vehicles), for the words from " granted " to " 1968 " substitute " or PSV operator's licence granted under Part I of the Transport Act 1980 ".
- 2 In section 80(1) (interpretation of Part II)—
 - (a) in the definition of " private hire vehicle ", for " fewer than eight passengers " substitute " fewer than nine passengers "; and
 - (b) in the definition of "public service vehicle", for "section 117 " substitute " Part III ".

ENERGY ACT 1976 (c. 76)

In Schedule 1 (permissible relaxations of road traffic and transport law), in paragraph 1(1)—

- (a) for " use, or cause or permit the use of," substitute " provide any stage carriage service or use ";
- (b) in paragraph (a), for " permit " substitute " certificate " ;
- (c) at the end of paragraph (b) insert " ; and
 - (c) notwithstanding that any conditions attached to any licence under Part I of the Transport Act 1980 are not complied with; and
 - (d) without being obliged to comply with the requirements of section 14 of that Act (duty to publish particulars of stage carriage services in trial areas).”.

PASSENGER VEHICLES (EXPERIMENTAL AREAS) ACT 1977 (c. 21)

- 1 In section 2(8) (authorised vehicle in experimental area not to be regarded as a public service vehicle) at the beginning insert " Subject to subsection (8A) below," and after that subsection insert—

“(8A) Nothing in subsection (8) above shall affect the operation of section 14 of the Transport Act 1980 (duty to publish particulars of stage carriage services in trial areas).”.
- 2 In section 2(9)—
 - (a) in the definition of " commercial vehicle ", for " not more than five passengers" substitute " not more than eight passengers " ; and

Status: This is the original version (as it was originally enacted).

(b) for "section 118(3) of the Road Traffic Act 1960" substitute " section 2(5) of the Transport Act 1980 " .

3 In the Schedule, in paragraph 14—

- (a) after " notice ", in both places where it occurs, insert " or announcement " ; and
- (b) for "section 118(3) of the Road Traffic Act 1960" substitute " paragraph 9 of Schedule 1 to the Transport Act 1980".

MINIBUS ACT 1977 (c. 25)

In section 4(2)(c) for the words from "as if" onwards substitute " in accordance with section 2(5) of the Transport Act 1980".

TRANSPORT ACT 1978 (c. 55)

1 In section 1(5) (power of non-metropolitan counties to make grants) for paragraph (b) substitute—

“(b) to persons providing facilities for sharing motor vehicles not adapted to carry more than eight passengers with a view to meeting the social and welfare needs of one or more communities.”.

2 For subsections (1) to (9) of section 5 (community bus services) substitute the following subsections—

“(1) Where on an application in that behalf the traffic commissioners for any traffic area grant a road service licence under Part I of the Transport Act 1980 in respect of a community bus service—

- (a) the licence shall state that it is granted in respect of such a service ;
- (b) the conditions specified in subsection (2) below shall be attached to the licence ; and
- (c) such provision as is mentioned in subsection (3) below may be included in the licence with respect to the use of the community bus otherwise than in the operation of the community bus service.

(2) The conditions to be attached in every case to a road service licence granted in respect of a community bus service are—

- (a) that any vehicle used in the course of the service is adapted to carry more than eight but not more than sixteen passengers ;
- (b) that the driver of any vehicle being used in the course of the service—
- (i) is a volunteer ; and
- (ii) if not the holder of a public service vehicle driver's licence, fulfils any prescribed conditions for drivers of community buses ;
- (c) that any vehicle used in the course of the service fulfils the prescribed conditions of fitness for use as a community bus ; and
- (d) that there is displayed on any vehicle being used in the course of the service such disc or other document issued by the traffic commissioners as may be prescribed for a vehicle used as a community bus ;

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and the powers conferred by section b(3) and (5) of the Transport Act 1980 to alter, remove or dispense from compliance with conditions attached to a road service licence shall not apply to conditions attached under this subsection.

- (3) Traffic commissioners on granting a road service licence in respect of a community bus service may, if they are satisfied that in all the circumstances it is reasonable to do so with a view to providing financial support for that service, include in the licence provision authorising the use of the community bus as a contract carriage or as an express carriage (or both), subject to such restrictions (if any) as the commissioners think fit to impose ; and where such provision is included in a licence, the conditions attached under subsection (2) to the licence shall apply to the use of the community bus as a contract carriage or express carriage as they apply to the use of a vehicle in the course of the community bus service.
- (4) None of the following provisions, that is to say—
- (a) section 144 of the Road Traffic Act 1960 (public service vehicle drivers' licences);
 - (b) section 17 of the Transport Act 1980 (certificate of initial fitness, or equivalent, required for use of public service vehicle);
 - (c) section 18 of that Act (power to prohibit driving of unfit public service vehicle); and
 - (d) section 19(1) of that Act (PSV operator's licence required for use of vehicle as stage, express or contract carriage),
- shall apply to the driving or use of a vehicle in the course of a community bus service or in the course of its use as a contract carriage or express carriage in accordance with any such provision as is mentioned in subsection (3) above.
- (5) Where a community bus service is provided in whole or in part in Greater London, that service or part shall not be regarded as a London bus service within section 23 of the Transport (London) Act 1969 (under which the agreement or consent of the London Transport Executive is required instead of a road service licence); but where the traffic commissioners for the Metropolitan Traffic Area propose—
- (a) to grant a road service licence in respect of such a service ; or
 - (b) to vary the conditions attached to such a licence,
- they shall consult the London Transport Executive about the proposal.
- (6) Subsection (7) of section 4 of the Transport Act 1980 (penalty for breach of condition attached to a road service licence) shall apply in relation to a condition so attached under subsection (2) above as it applies in relation to a condition so attached under section 6 of that Act.
- (7) Regulations may provide that, in relation to any community bus service provided in whole or in part within a trial area, the preceding provisions of this section shall have effect with such additions, omissions, alterations or other modifications as may be prescribed.
- (8) In this section—
- " community bus service " means a stage carriage service provided—

Status: This is the original version (as it was originally enacted).

- (a) by a body of persons (whether corporate or unincorporate) concerned for the social and welfare needs of one or more communities ; and
- (b) without a view to profit, either on the part of those persons or of anyone else ; and in relation to such a service " the community bus " means any vehicle used on a regular basis in the course of the service;

" volunteer ", in reference to the driver of a vehicle on any journey, means that he is not paid for driving the vehicle on that journey, disregarding—

- (a) any payment of reasonable expenses incurred by him in making himself available to drive ; and
- (b) any payment representing earnings lost as a result of making himself available to drive in exceptional circumstances ;

and section 1(3) and (4) of the Transport Act 1980 (construction as one, etc) shall have effect as if references in those subsections to Part I of that Act included a reference to this section.”.

3 Section 6 shall be omitted.

4 In section 7(3) (vehicles excluded from regulation as private hire vehicles)—

- (a) for the words " section 118 of the 1960 Act" there shall be substituted the words " section 2(3) of the Transport Act 1980 " ;
- (b) for the words " no more than 7 passengers " there shall be substituted the words " no more than 8 passengers " ; and
- (c) for the words " 8 to 16 seaters " substitute " 9 to 16 seaters " .

SCHEDULE 6

Section 45.

SUPPLEMENTARY PROVISIONS WITH RESPECT TO TRANSFER UNDER SECTION 45

Legal remedies and pending proceedings

- 1 (1) Where any right, liability or obligation is transferred to the successor company by virtue of section 45 that company and all other persons shall, on and after the appointed day, have the same rights, powers and remedies (and, in particular, the same rights as to the taking or resisting of legal proceedings) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of that company.
- (2) Any legal proceedings by or against the Corporation which relate to any property, right, liability or obligation transferred to the successor company by virtue of section 45 and are pending on the appointed day, may be continued on and after that day by or against that company.
- (3) Any reference in sub-paragraph (1) or (2) to legal proceedings shall be construed as including a reference to any application to an authority, and any reference to the taking or resisting of legal proceedings shall be construed accordingly.

Status: This is the original version (as it was originally enacted).

Powers of other bodies

- 2 The transfer to the successor company by virtue of section 45 of the property, rights, liabilities and obligations of the Corporation shall have effect notwithstanding any statutory or other restriction on the powers of any other body affected by the transfer.

Modification of agreements

- 3 Where immediately before the appointed day there is in force an agreement which confers or imposes on the Corporation any rights, liabilities or obligations which are transferred to the successor company by virtue of section 45, that agreement shall have effect on and after that day as if—
- (a) the successor company had been a party to the agreement; and
 - (b) for any reference (in whatever terms and whether expressly or by implication) to the Corporation there were substituted, in relation to anything falling to be done on or after that day, a reference to the successor company ; and
 - (c) for any reference (in whatever terms and whether expressly or by implication) to an officer or employee of the Corporation, not being a party to the agreement and beneficially interested therein, there were substituted, in relation to anything falling to be done on or after that day, a reference to such person as the successor company may appoint or, in default of appointment, to the officer or employee of that company who corresponds as nearly as may be to the officer or employee of the Corporation.

Loss of office by members of Corporation

- 4 (1) Subject to sub-paragraph (2), no right, liability or obligation under any agreement for the rendering by any person of services to the Corporation as a member of the Corporation shall be transferred by virtue of section 45.
- (2) Sub-paragraph (1) does not apply to any liability for remuneration or allowances payable in respect of any period before the appointed day.
- (3) If it appears to the Minister that a person who was a member of the Corporation immediately before the appointed day should receive compensation for loss of office, he may, subject to subparagraph (4), require the successor company to pay that person such sum as the Minister, with the approval of the Minister for the Civil Service, may determine.
- (4) No such requirement as is mentioned in sub-paragraph (3) shall be made after the expiration of the period of three months beginning with the appointed day.

Compensation payments arising from earlier reorganisations

- 5 The obligations of the Corporation transferred by virtue of section 45 include any obligations of the Corporation to make payments under regulations made under section 135 of the Transport Act 1968 or section 2(4) of the Transport Holding Company Act 1972 (compensation for loss of employment, etc. in consequence of reorganisations under those Acts).

Status: This is the original version (as it was originally enacted).

Pensions of former members of the Corporation

- 6 The obligations of the Corporation transferred by virtue of section 45 include any obligation of the Corporation to comply with a determination of the Minister under paragraph 8(1) of Schedule 1 to the Transport Act 1962 relating to the pension (within the meaning of that Act) payable to or in respect of a former member of the Corporation.

Pension schemes

- 7 (1) Subject to sub-paragraph (2), the provisions of section 74 of the Transport Act 1962 (Minister's powers to make provision about pensions in the nationalised transport industry) shall have effect on and after the appointed day as if—
- (a) the expression " Board " included the successor company ; and
 - (b) the references in subsection (1)(a)(ii) of that section to the Commission included references to the Corporation; and
 - (c) the reference in subsection (2)(a) of that section to a pension scheme in which employees of the Commission, or a subsidiary of the Commission, participated before the date there mentioned included a reference to a pension scheme in which employees of, or of a subsidiary of, the Corporation participated before the appointed day.
- (2) Except on the application of the successor company, no order shall be made under the said section 74 on or after the appointed day which has the effect of placing the successor company or a subsidiary of the successor company in any worse position ; but for this purpose the successor company or a subsidiary shall not be regarded as being placed in a worse position because an order provides that any changes in a pension scheme are not to be effected without the consent of the Minister.
- (3) An order such as is mentioned in sub-paragraph (2) which is made without the application of the successor company shall not be invalid because in fact it does not have the effect of securing that the successor company and its subsidiaries are not placed in any worse position, but except in so far as the successor company approves the effect of the order the Minister shall as soon as may be make the necessary amending order.
- (4) Subject to sub-paragraph (6), any order under the said section 74 and any regulations to which paragraph 17 of Schedule 7 to the Transport Act 1962 applies (which continues in force certain earlier pension provisions) which—
- (a) are in force immediately before the appointed day; and
 - (b) relate to the Corporation, its employees or its pensions schemes,
- shall continue in force, subject to any provision made by virtue of sub-paragraph (1), and as respects anything falling to be done on or after the appointed day shall have effect as if for any reference (however worded and whether express or implied) to the Corporation there were substituted a reference to the successor company.
- (5) A person who on the appointed day—
- (a) ceases to be employed by the Corporation and becomes employed by the successor company ; or
 - (b) is employed by a company which immediately before the appointed day was a subsidiary of the Corporation but on that day becomes a subsidiary of the successor company,

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shall not thereby cease to be eligible to participate in any pension scheme in which he was a participant immediately before the appointed day.

- (6) Subject to sub-paragraph (5), a person who on or after the appointed day leaves or enters the employment of the group consisting of the successor company and its subsidiaries (in this subparagraph referred to as " the NFC group ") shall not be eligible by virtue of any provision of an order under the said section 74 made before that day—
- (a) to participate in any of the Corporation's pension schemes by reason of any employment outside the NFC group; or
 - (6) to participate in a pension scheme other than one of the Corporation's pension schemes by reason of his employment within the NFC group.
- (7) In this paragraph—
- (a) "participant", in relation to a pension scheme, means—
 - (i) in relation to a scheme under which benefits are or will be receivable as of right, a person who has pension rights under the scheme (whether he has contributed or not) ; and
 - (ii) in relation to a scheme under which benefits are not or will not be receivable as of right, a person who (whether he is referred to in the scheme as a member, as a contributor or otherwise) has contributed under the scheme and has pension rights thereunder;and " participate " and " eligible to participate " shall be construed accordingly ;
 - (b) " pension ", " pension rights " and " pension scheme " have the same meaning as in section 74 of the Transport Act 1962; and
 - (c) references to the Corporation's pension schemes are to schemes established by the Corporation or in relation to which the rights, liabilities and functions of the Transport Holding Company were transferred to the Corporation by the British Transport (Pensions of Employees) (No. 1) Order 1968.

Grants in respect of certain capital expenditure

- 8 (1) The obligations of the Corporation transferred by virtue of section 45 include any obligation to comply with terms and conditions attached to a grant made under section 18 of the Transport Act 1978 (grants in respect of capital expenditure by National Carriers Limited or its subsidiaries).
- (2) For the reference in that section to the Corporation there shall be substituted, as from the appointed day, a reference to the successor company.
- (3) In considering the exercise of his powers under that section in favour of the successor company, the Minister shall take into account any capital expenditure within that section not previously taken into account, including expenditure incurred before the appointed day; and the financial limits set by subsection (2) of that section shall apply in relation to such an exercise of the Minister's powers as if grants made to the Corporation at any time before the appointed day had been made to the successor company at that time.

Status: This is the original version (as it was originally enacted).

Reimbursement for certain travel concessions

- 9 (1) The obligations of the Corporation transferred by virtue of section 45 include any obligation to comply with terms attached to a payment made under section 21 of the Transport Act 1978 (reimbursement of amounts paid in connection with travel concessions enjoyed by certain employees and others).
- (2) For the references in that section to the Corporation there shall be substituted, as from the appointed day, references to the successor company.
- (3) In considering the exercise of his powers under that section in favour of the successor company, the Minister shall take into account any amounts paid as mentioned in that section and not previously taken into account, including amounts paid by the Corporation and amounts paid in respect of concessionary travel enjoyed before the appointed day.

Rating

- 10 (1) The obligations of the Corporation transferred by virtue of section 45 include any obligation of the Corporation under subsection (2) of section 162 of the Transport Act 1968 to make a payment to the British Railways Board in respect of any period of occupation before the appointed day by the Corporation or a subsidiary of premises which by virtue of subsection (1) of that section are to be treated for rating purposes as occupied by the Board.
- (2) If any dispute between the Board and the Corporation as to the amount so payable stands referred to the Minister immediately before the appointed day, it shall be dealt with thereafter as if the successor company had at all times been a party to the reference.
- (3) Any dispute arising on or after the appointed day between the Board and the successor company as to the amount due under the said subsection (2) shall be referred to the Minister for determination, and his determination shall be final.

SCHEDULE 7

Section 51.

AMENDMENTS CONSEQUENTIAL ON PART II

TRANSPORT ACT 1968 (c.73)

- 1 In section 7 substitute the words " the Board " —
- (a) in subsection (1)(a) for the words from " the authority " to the end;
- (b) in subsection (3) for the words " the authority or authorities making it " ; and
- (c) in subsection (4) for the words " the authority or authorities by whom the scheme was prepared " .
- 2 In section 8(1) (b) for " either of those authorities " substitute " the Railways Board " .
- 3 In section 29(6) for the words from "subsection (2) of the said section" to the end substitute " subsection (1)(b) of the said section 7 or, as the case may be, to an order under subsection (1)(6) of the said section 8 making any such provision as is mentioned in the said section 7(1)(6), but as if for the reference in subsection (6)

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- (a) of the said section 8 to the Railways Board there were substituted a reference to the Scottish Group and the Railways Board".
- 4 In section 45(5) for " the authority to whom the directions are given " substitute " the Board".
- 5 In paragraph 4 of Schedule 16 for the words from " subsection (1) " to " of that section " substitute " subsection (2) of section 67 of the Act of 1962 ".
- 6 In paragraph 5 of Schedule 16—
- (a) in sub-paragraph (2), for " either of the authorities to whom this section applies" substitute " the Scottish Group " and for " authority " in both places where it occurs substitute " Group ";
 - (b) in sub-paragraph (3), for " the authority or subsidiary in question" substitute " the Scottish Group or, as the case may be, the subsidiary in question " ;
 - (c) in sub-paragraph (4), for " either or both of the authorities to whom this paragraph applies" substitute " the Scottish Group " and for the words from " authority " to " each of those authorities " substitute " Group ".

SCHEDULE 8

Section 60.

B.R. PENSION SCHEMES

British Railways Superannuation Fund:

New Section

GWR Section

LMSR Section

LNER Section so far as relating to persons admitted to the London and North Eastern Railway Superannuation Fund before 1st June 1957

LNER Section so far as not so relating

RCS Section

SR Section

British Railways (Wages Grades) Pension Fund

British Transport Police Force Superannuation Fund

B.R. (1974) Pension Fund

Great Eastern Railway New Pension Fund and New Pension (Supplemental) Fund Trust Account

Great Northern Railway Superannuation Fund

Great Western Railway Inspectors and Foremen's Special Pension Fund

Great Western Railway Pension Society

Great Western Railway Salaried Staff Supplemental Pension Fund

Great Western Railway Supplemental Pensions Reserve Fund

Great Western Railway Widows and Orphans' Benevolent Fund

Lancashire and Yorkshire Railway Pension Fund Society

London, Brighton and South Coast Railway Pension Fund

London Midland and Scottish Railway (L.N.W.) Insurance Society

London Midland and Scottish Railway (L.N.W.) Provident and Pensions Society

London Midland and Scottish Railway (L.N.W.) Supplementary Pension Fund and Locomotive Foremen's Pension Fund

Status: This is the original version (as it was originally enacted).

London Midland and Scottish Railway Midland Friendly Society
 London Midland and Scottish Railway (North Staffordshire Section) Friendly Society
 North British Railway Insurance Society
 North Eastern and Great Eastern Superannuation Societies and Pensions Funds Joint Trust Account
 Southern Railway (South Eastern & Chatham Section) Enginemen & Motormen's Pension Fund Society
 Thomas Bantock & Co. Superannuation Fund.

SCHEDULE 9

Section 69.

REPEALS

PART I

PUBLIC SERVICE VEHICLES

Chapter	Short Title	Extent of Repeal
1 & 2 Eliz. 2. c. 33.	Education (Miscellaneous Provisions) Act 1953.	Section 12.
2 & 3 Eliz. 2. c. 64.	Transport Charges &c. (Miscellaneous Provisions) Act 1954.	Section 2. Schedule 1.
3 & 4 Eliz. 2. c. 26.	Public Service Vehicles (Travel Concessions) Act 1955.	In section 1(7), the words " and two ".
6 & 7 Eliz. 2. c. 50.	Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958.	In section 7(1), the words from " and the references" onwards.
8 & 9 Eliz. 2. c. 16.	Road Traffic Act 1960.	Sections 117 and 118. In section 119(3)(a), the words " or backed " . Section 127. In section 128(2), the words from "In the application" onwards. Section 129. In section 130, in subsection (2), the words from " and such " onwards. Sections 132 to 140. Section 143.

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
		<p>In section 144, the words " or act as conductor of", where-ever occurring, and, in subsection (3), the words from " and for " to " eighteen ".</p> <p>In section 145(1), the words " or act as conductor of ".</p> <p>In section 147(1)(d) the words " or other person authorised by the licensee of the vehicle ".</p> <p>Section 149.</p> <p>Section 153(2).</p> <p>In section 154, the words " or act as conductor of ".</p> <p>In section 155, the words " or act as conductor of".</p> <p>In section 156(1), the words " or backed ".</p> <p>In section 158, the words " or act as conductor of ".</p> <p>In section 160—</p> <ul style="list-style-type: none">(a) in subsection (1), the words " or the Twelfth Schedule thereto ";(b) in subsection (1) (f), the words "and conductors";(c) in subsection (2), the words " and the Twelfth Schedule thereto ". <p>In section 163(1), the words " or act as conductor of."</p> <p>Section 234.</p> <p>Section 240.</p> <p>In section 247(2), the words from " or (in a case" onwards.</p> <p>In section 257(1), the definitions of " owner" and " road service licence ".</p> <p>Section 258.</p>

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
10 & 11 Eliz. 2. c. 46.	Transport Act 1962.	<p>Schedule 12.</p> <p>In Schedule 17, the entries relating to the Local Government (Miscellaneous Provisions) Act 1953 and the Local Government (Omnibus Shelters and Queue Barriers) (Scotland) Act 1958.</p> <p>In Schedule 2, in Part I, the entries relating to section 12 of the Education (Miscellaneous Provisions) Act 1953 and section 135 of the 1960 Act.</p>
1963 c. 33.	London Government Act 1963.	<p>In section 9(6)(b), the words from " except" to " 1960 ".</p> <p>Section 14(6)(d).</p> <p>In Schedule 5, in Part I, paragraph 25.</p>
1965 c. 25.	Finance Act 1965.	<p>In section 92(8), the definition of " road service licence ".</p>
1967 c. 76.	Road Traffic Regulation Act 1967.	<p>In section 1(3), the words " or express carriage ".</p> <p>In Schedule 6, the amendment of section 135(2) of the 1960 Act.</p>
1968 c. 73.	Transport Act 1968.	<p>Section 21(1).</p> <p>Section 30.</p> <p>Section 35(1), (2) and (3)(a).</p> <p>In section 138, in subsection (1)(a) the words from " subject " to " granted or backed ", and in subsection (3)(a) the words " subject as mentioned in subsection (1)(a) of this section ".</p> <p>Section 145(1).</p> <p>In section 159(1), in the definition of " road service licence " the words from " and except" onwards.</p>

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
1969 c. 35.	Transport (London) Act 1969.	<p>In section 23(6), the words from "except" to "that section".</p> <p>In section 23(7), in the definition of "road service licence" the words from "and includes" onwards.</p> <p>In section 24(2), the words "or act as conductor of".</p> <p>Section 24(3).</p> <p>Section 24(4)(6) and (d).</p> <p>In Schedule 3, in paragraph 8, in the subsection substituted in section 92 of the Finance Act 1965, the definition of "road service licence"; and paragraph 11.</p>
1971 c. 62.	Tribunals and Inquiries Act 1971.	<p>Section 13(5).</p> <p>In section 13(6)(a) the words from "or to a decision" to "traffic commissioners".</p> <p>In Schedule 1, in paragraph 30(a), the words from "and" onwards.</p>
1972 c. 20.	Road Traffic Act 1972.	<p>In section 44(4)—</p> <ul style="list-style-type: none"> (a) the words from "to public service vehicles" to "passengers or"; (b) the words from "but shall apply" to "1978"; (c) the words from "if no" to the end.
1972 c. 68.	European Communities Act 1972.	In Schedule 4, paragraph 10.
1972 c. 70.	Local Government Act 1972.	Section 186(3).
1973 c. 65.	Local Government (Scotland) Act 1973.	In Schedule 18, paragraphs 26 and 30 to 35.
1974 c. 50.	Road Traffic Act 1974.	<p>In Schedule 2, paragraphs 1 and 3 to 5.</p> <p>In Schedule 5, all the entries in Part I except those relating to sections 148(2) and 239 of the 1960 Act.</p>

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
1976 c. 76.	Energy Act 1976.	<p>In Schedule 6, paragraph 1 and, in paragraph 2, the words " or act as conductor of ".</p> <p>In Schedule 7, the entry relating to section 131(1)(b) of the 1960 Act.</p>
1978 c. 55.	Transport Act 1978.	<p>In Schedule 1, in paragraph 2, the words " or act as conductor of" in both places where they occur.</p> <p>Section 5(10).</p> <p>Section 6.</p> <p>Section 7(1) and (2).</p> <p>Section 8.</p> <p>Schedule 1.</p> <p>Schedule 2, except paragraph 5.</p>

PART II

REPEALS TAKING EFFECT ON PASSING OF THIS ACT

Chapter	Short Title	Extent of Repeal
1960 c. 16.	Road Traffic Act 1960.	<p>In section 232(1)(6), the words " or 71 ".</p>
1968 c. 73.	Transport Act 1968.	<p>Section 6.</p> <p>In section 7(5), the words " or under section 6(1) of this Act".</p> <p>In section 8(6)(a), subparagraph (iv).</p> <p>In section 45(6)(a), the words " or under section 6(1) of this Act".</p> <p>In section 71—</p> <p>(a) subsections (1) to (5);</p> <p>(b) in subsection (6), the words " this section and ";</p> <p>(c) subsection (7);</p> <p>(d) in subsection (8) the definition of "pallet";</p>

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Chapter	Short Title	Extent of Repeal
		<p>(e) subsections (9) and (10).</p> <p>Sections 72 to 80.</p> <p>In section 81(3), the words from "(or, if" to "last vehicle)".</p> <p>In section 82—</p> <p>(a) in subsection (1), the words "record or other", "76 or", "record or other" and " record or ";</p> <p>(b) in subsection (2), the words " records or " and " record or".</p> <p>In section 83, the words " record or other ", " 76 or " and " record or ".</p> <p>In section 84—</p> <p>(a) in paragraph (a), the words " a special authorisation ";</p> <p>(b) in paragraph (6), the words " or authorisation ";</p> <p>(c) in paragraph (c), the words " or special authorisation ";</p> <p>(d) in paragraph (d), the words " a special authorisation ";</p> <p>(e) in paragraph (f), the words " or authorisation ".</p> <p>Section 85(1)(b).</p> <p>In section 86, the words " and a special authorisation " and " or special authorisation ".</p> <p>In section 87, subsection (2) and in subsection (3) the words " or 79 ".</p> <p>In section 89(1), the words " and special authorisations "</p> <p>In section 91—</p> <p>(a) in subsection (1)(a), the words " and special authorisations ";</p>

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Chapter	Short Title	Extent of Repeal
		<p>(b) in subsection (1)(6) the words " and special authorisations", "or authorisations " and " or authorisations ";</p> <p>(c) in subsection (1)(c), the words from " or as vehicles " to the end;</p> <p>(d) in subsection (1)(d), the words " and special authorisations ", " or authorisations "and" or 79";</p> <p>(e) in subsection (1)(e), the words " or special authorisation ";</p> <p>(f) in subsection (2), the words " or as vehicles used under a special authorisation" and " or special authorisation";</p> <p>(g) subsection (4)(6).</p> <p>In section 92(6), the words " or authorisation " in both places where they occur.</p> <p>In section 94, subsections (4) to (6) and in subsection (8) the words from " but if" to the end.</p> <p>Section 150.</p> <p>In section 162(2), the words from " who may " to " their recommendations ".</p> <p>In Schedule 10, in Part I—</p> <p>(a) in the amendment of section 233(1)(a) of the Road Traffic Act 1960, the words " or authorisation ";</p> <p>(b) in the amendment of section 233(1)(b) of that Act, the words from " and that paragraph" to the end;</p> <p>(c) in the amendment of section 235(1) of that Act the words " or authorisation ";</p>

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
		(d) in the amendment of section 263(1) of that Act, the words from " and the references " to the end.
1969 c. 48.	Post Office Act 1969.	In Schedule 10, in Part II, in the amendment of section 232(1) (b) of the Road Traffic Act 1960, the words " or 71 ".
1974 c. 48.	Railways Act 1974.	In Schedule 4, paragraph 88. Sections 5 to 7.
1975 c. 24.	House of Commons Disqualification Act 1975.	In Schedule 1, in Part II, the entry relating to the Freight Integration Council.
1975 c. 25.	Northern Ireland Assembly Disqualification Act 1975.	In Schedule 1, in Part II, the entry relating to the Freight Integration Council.
1978 c. 55.	Transport Act 1978.	Sections 19 and 20.

PART III

REPEALS TAKING EFFECT ON APPOINTED DAY UNDER PART II OF THIS ACT

Chapter	Title	Extent of Repeal
1938 c. 44.	Road Haulage Wages Act 1938.	In section 4(2), the words " the National Freight Corporation,".
1964 c. 40.	Harbours Act 1964.	In section 57(1), in the definition of " the Boards ", the words " the National Freight Corporation " and " Corporation or ".
1966 c. 27.	Building Control Act 1966.	In the Schedule, the entry relating to the National Freight Corporation.
1966 c. 34.	Industrial Development Act 1966.	In Schedule 2, the entry relating to the National Freight Corporation.
1968 c. 73.	Transport Act 1968.	Sections 1 to 5. In section 7— (a) in subsection (1), the words from " or the Freight Corporation " to

Status: This is the original version (as it was originally enacted).

Chapter	Title	Extent of Repeal
		<p>" acting jointly" and in paragraph (b) the words "the Corporation " and " or Corporation";</p> <p>(b) subsection (2);</p> <p>(c) in subsection (3), the words " subsection (1) or (2) of";</p> <p>(d) in subsection (4), in paragraph (a) the words "or the Freight Corporation " and " respective " and paragraph (b);</p> <p>(e) in subsection (5), the words " or subsection (2)";</p> <p>(f) in subsection (6), the words " or subsection (2)";</p> <p>(g) in subsection (7), the words from " and in the application " to the end.</p> <p>In section 8—</p> <p>(a) in subsection (1), paragraph (a) and in paragraph (b) the words " or paragraph (b) of subsection (4)";</p> <p>(b) subsection (2);</p> <p>(c) in subsection (3), the words " subsection (1) or (2) of";</p> <p>(d) in subsection (4), the words " subsection (1) of" and the words from " and in the case " to " of this section ";</p> <p>(e) in subsection (5), the words from " and in the application " to the end;</p> <p>(f) in subsection (6), the words from the beginning to " Corporation; and " and in paragraph (a), sub-paragraph (i), in sub-paragraph (ii) the words from " in the case " to " of this section " and sub-paragraph (iii).</p>

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Chapter	Title	Extent of Repeal
		<p>In section 44—</p> <ul style="list-style-type: none"> (a) in subsection (1)(a)(iii), the words " 3(1) or " and the words " the Freight Corporation or "; (b) in subsection (1)(6)(iii), the words " the Freight Corporation or "; (c) in the concluding words of subsection (1)(b), the reference to section 3(1). <p>In section 45—</p> <ul style="list-style-type: none"> (a) in subsection (1), paragraph (b), the word " and " immediately preceding that paragraph and the words " or, as the case may be, the Corporation "; (b) in subsection (2), the words " or, as the case may be, the Corporation" in both places where they occur; (c) in subsection (3), the words " or the Freight Corporation "; (d) in subsection (5), the words " or the Freight Corporation or each of them " and "respective"; (e) in subsection (6), the words "or the Freight Corporation ". <p>In section 52(2), the words "and the Freight Corporation ", " or the Corporation " and " or Corporation ".</p> <p>In section 55—</p> <ul style="list-style-type: none"> (a) in subsection (1)(b), the words "the Freight Corporation and" and the words " of that Corporation or "; (b) in subsection (1)(ii), the words "but including a

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		<p>reference to the Freight Corporation";</p> <p>(c) in subsection (1)(iii), the words " or the Freight Corporation ",</p> <p>(d) subsection (1)(iv);</p> <p>(e) in subsection (4) the words " or with the Freight Corporation " and the words " or Corporation " in both places where they occur.</p> <p>In section 121, in subsection (1) the words from " and sections 116 and 117 " to the end and in subsection (2)(a) the words " the Freight Corporation or the subsidiaries of that Corporation ".</p> <p>In section 125(4), the words "and to the Freight Corporation ".</p> <p>In section 134(3)(b), the reference to section 2(1)(g) (ii) and (m).</p> <p>In section 156(1), the words "the Freight Corporation", "or Corporation", "Corporation or ", " the Minister or, in the case of the Scottish Group ", and " the Minister or, as the case may be,".</p> <p>In section 159(1), the definition of " the Freight Corporation " and in the definition of " the new authorities " the words " the Freight Corporation ".</p> <p>In section 160(3), paragraph (a) and in paragraph (6) the reference to section 4(1).</p> <p>In section 162—</p> <p>(a) in subsection (1), paragraph (b) and the word " or" immediately</p>

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		<p>preceding it, the words " or (b)" and the words from " or, as the case may be ", to " that Corporation ";</p> <p>(b) subsection (2);</p> <p>(c) in subsection (3), the words "or the Freight Corporation" and the words "or that Corporation ";</p> <p>(d) in subsection (4), the words "or (b)" and the words "of the Freight Corporation or ".</p> <p>In Schedule 1, paragraph 1 and in paragraph 5 the words from " and, in the case " to the end.</p> <p>In Schedule 2, in paragraph 3(a), the words " 5(3)(a) or ".</p> <p>Schedule 3.</p> <p>In Schedule 4, in paragraph 5 the words from "by or on behalf" to "Freight Corporation, or" and in paragraph 6 the words " the Freight Corporation ".</p> <p>In Schedule 10, in Part I. in the second amendment to section 4(2) of the Road Haulage Wages Act 1938, the words " the National Freight Corporation,".</p> <p>In Schedule 16—</p> <p>(a) paragraphs 1 and 2;</p> <p>(b) in paragraph 4, in subparagraph (1) the words " the Corporation and ", subparagraph (2) and in subparagraph (5) the words " the Freight Corporation " and " Corporation ";</p> <p>(c) in paragraph 5, subparagraph (1);</p>

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		(d) in paragraph 7(1), the words " to the Freight Corporation and " and " of the Freight Corporation or"; (e) in paragraph 8, in subparagraph (1) (d)(i), the words " the National Freight Corporation " and " Corporation or " and in sub-paragraph (2) the words "the Freight Corporation"; (f) in paragraph 9, the words " The National Freight Corporation "; (g) in paragraph 10, the words " The National Freight Corporation ".
1974 c. 8.	Statutory Corporations (Financial Provisions) Act 1974.	In Schedule 2, in the first column of the entry amending section 19(2) of the Transport Act 1962, the reference to the National Freight Corporation
1975 c. 24.	House of Commons Disqualification Act 1975.	In Schedule 1, in Part II, the entry relating to the National Freight Corporation.
1975 c. 25.	Northern Ireland Assembly Disqualification Act 1975.	In Schedule 1, in Part II, the entry relating to the National Freight Corporation.
1977 c. 20.	Transport (Financial Provisions) Act 1977.	Section 2.
1978 c. 55.	Transport Act 1978.	Section 17.

PART IV

OTHER REPEALS

Chapter	Title	Extent of Repeal
1967 c. 76.	Road Traffic Regulation Act 1967.	Section 100.