

*Status: Point in time view as at 25/02/1991.*

*Changes to legislation: Road Traffic Regulation Act 1984 is up to date with all changes known to be in force on or before 26 June 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)*

## SCHEDULES

### SCHEDULE 1

Section 6.

#### MATTERS AS TO WHICH ORDERS CAN BE MADE UNDER SECTION 6

- 1 For prescribing the routes to be followed by all classes of traffic, or by any class or classes of traffic, from one specified point to another, either generally or between any specified times.
- 2 For prescribing streets which are not to be used for traffic by vehicles, or by vehicles of any specified class or classes, either generally or at specified times.
- 3 For regulating the relative position in the roadway of traffic of differing speeds or types.
- 4 For prescribing the places where vehicles, or vehicles of any class, may not turn so as to face in the opposite direction to that in which they were proceeding, or where they may only so turn under conditions prescribed by the order.
- 5 For prescribing the conditions subject to which, and the times at which, articles of exceptionally heavy weight or exceptionally large dimensions may be carried by road.
- 6 For prescribing the number and maximum size and weight of trailers which may be drawn on streets by vehicles, or by vehicles of any class, either generally or on streets of any class or description, and for prescribing that a man should be carried on the trailer or, where more than one trailer is drawn, on the rear trailer for signalling to the driver.
- 7 For prescribing the conditions subject to which, and the times at which, articles may be loaded on to or unloaded from vehicles, or vehicles of any class, on streets.
- 8 For prescribing the conditions subject to which, and the times at which, vehicles, or vehicles of any class, delivering or collecting goods or merchandise, or delivering goods or merchandise of any particular class, may stand in streets, or in streets of any class or description, or in specified streets.
- 9 For prescribing the conditions subject to which, and the times at which, vehicles, or vehicles of any class, may be used on streets for collecting refuse.
- 10 For prescribing rules as to precedence to be observed as between vehicles proceeding in the same direction, in opposite directions, or when crossing.
- 11 For prescribing the conditions subject to which, and the times at which, horses, cattle, sheep and other animals may be led or driven on streets within Greater London.
- 12 For requiring the erection, exhibition or removal of traffic notices, and as to the form, plan and character of such notices.
- 13 Broken down vehicles.
- 14 Vehicles, or vehicles of any class, when unattended.

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- 15 Places in streets where vehicles, or vehicles of any class, may, or may not, wait, either generally or at particular times.
- 16 Cabs and hackney carriages not hired and being in a street elsewhere than on a cab rank.
- 17 For restricting the use of vehicles and animals, and sandwichmen and other persons, in streets for the purposes of advertisement of such a nature or in such a manner as is to be likely to be a source of danger or to cause obstruction to traffic.
- 18 The lighting and guarding of street works.
- 19 The erection or placing or the removal of any works or objects likely to hinder the free circulation of traffic in any street or likely to cause danger to passengers or vehicles.
- 20 Queues of persons waiting in streets.
- 21 Priority of entry to public vehicles.
- 22 For enabling any police, local or other public authority to do anything which under the order a person ought to have done and has failed to do, and to recover from the person so in default, summarily as a civil debt, the expenses of doing it.

## SCHEDULE 2

Section 12.

### MATTERS AS TO WHICH REGULATIONS CAN BE MADE UNDER SECTION 12

- 1 Prescribing the routes to be followed by traffic from one specified point to another.
- 2 Prescribing streets which are not to be used for traffic.
- 3 Regulating the relative position in the roadway of traffic of differing speeds or types.
- 4 Prescribing the places where vehicles may not turn so as to face in the opposite direction to that in which they were proceeding, or where they may only so turn under prescribed conditions.
- 5 Prescribing the conditions subject to which, and the times at which, articles may be loaded on to, or unloaded from, vehicles on streets.
- 6 Prescribing the conditions subject to which, and the times at which, vehicles delivering or collecting goods or merchandise, or goods or merchandise of any particular class or classes, may stand in streets.
- 7 Prescribing rules as to precedence to be observed as between vehicles proceeding in the same direction, in opposite directions or when crossing.

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- 8 Making provision as to vehicles when unattended.
- 9 Making provision as to places in streets where vehicles may, or may not, wait.
- 10 Making provision as to cab ranks, and as to ranks and stopping places of buses and other public conveyances.

### SCHEDULE 3

Section 16.

#### NOTIFICATION OF TEMPORARY TRAFFIC RESTRICTIONS

- 1 (1) Subject to the following provisions of this Schedule, not less than 7 days before making an order under subsection (1) or subsection (5) of section 14, the highway authority shall cause notice of their intention to make the order to be published in one or more newspapers circulating in the district in which the road or part of a road affected by the order is situated, and shall also, within a period of 7 days after making any such order, cause a notice of the making of the order to be published in the like manner.
  - (2) Every such notice shall contain a statement of the effect of the order and, in so far as it relates to an order under subsection (1) of section 14, shall also contain a description of the alternative route or routes available for traffic.
  - (3) Where the Secretary of State gives his consent to an order under subsection (1) or subsection (5) of section 14 continuing in force for longer than the period limited by section 15, the highway authority shall give such notice of his consent as may be directed by him.
- 2 So long as any order made under subsection (1) of section 14 is in force, a notice stating the effect of the order and describing the alternative route or routes available for traffic, shall be kept posted in a conspicuous manner at each end of the part of the road to which the order relates, and at the points at which it will be necessary for vehicles or, as the case may be, pedestrians to diverge from the road.

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

C1 Sch. 3 para. 2 modified (4.6.1992) by S.I. 1992/1218, art. 3(2).

- 3 (1) A notice issued under subsection (3) of section 14 shall describe the alternative route or routes available for traffic, and shall be kept posted in accordance with the provisions of paragraph 2 above.
  - (2) Where such a notice has been posted, the highway authority may, before the expiry of the period for which the notice can continue in force, proceed to make an order under

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subsection (1) of section 14 with respect to the same road or part of a road without causing notice of their intention to make the order to be published in any newspaper.

- 4 In this Schedule references to section 14 or 15 are references to section 14 or 15 of this Act respectively.

## SCHEDULE 4

Section 43.

### CONTROL OF OFF-STREET PARKING

#### PART I

##### PROVISIONS AS TO THE MAKING OF REGULATIONS UNDER SECTION 43

- 1 Before deciding to propose the making of regulations under section 43 of this Act with respect to any matter, [<sup>F1</sup>the local authority] shall consult with such representative organisations as they think fit and, if after such consultation they decide to make such a proposal, they shall cause to be published in the London Gazette and in one or more daily newspapers circulating throughout Greater London a notice stating that they propose to make such regulations, giving a summary of their effect, and specifying—

- (a) a place at which provisional draft regulations may be inspected at all reasonable hours and from which a copy of those draft regulations may be obtained on request; and
- (b) a date (not being earlier than six weeks after the date of publication of the notice) by which representations with respect to the draft regulations, which should include the grounds for any objection thereto, must be sent in writing to [<sup>F1</sup>the local authority];

and on causing such a notice to be published [<sup>F1</sup>the local authority] shall send a copy of the notice and of the draft regulations to the Secretary of State <sup>F2</sup>. . . ; and [<sup>F1</sup>the local authority] shall not make any regulations in pursuance of the proposal to which the notice relates before the expiration of the period of twelve weeks beginning with the date when the notice is published.

#### Textual Amendments

- F1** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(a\)\(i\)](#)
- F2** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), 102(2)(3), [Sch. 5 para. 4\(38\)\(a\)\(ii\)](#), Sch. 17

- 2 As soon as may be after the date specified by the notice for the making of representations with respect to the draft regulations, [<sup>F3</sup>the local authority] shall send to the Secretary of State copies of all representations received by them by that date or, if no representations have been so received, shall inform the Secretary of State in writing of that fact.

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#### Textual Amendments

**F3** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(b\)](#)

- 3 In the case of any proposal, the Secretary of State may at any time before the expiration of the period of twelve weeks give to [<sup>F4</sup>the local authority] a direction in writing that, except with the consent of the Secretary of State, regulations shall not be made in pursuance of that proposal—
- (a) with respect to all, or with respect to such as may be specified, of the matters to which the proposal relates; or
  - (b) in relation to, or to a specified part of, any specified area which has been or is proposed to be designated as a controlled area;
- and on any such direction being given the Secretary of State shall cause notice thereof to be published in the London Gazette and [<sup>F4</sup>the local authority] shall comply with that direction.

#### Textual Amendments

**F4** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(b\)](#)

- 4 (1) Where in the case of any proposal the Secretary of State has given a direction, he shall as soon thereafter as he is in a position to do so notify [<sup>F5</sup>the local authority] in writing with respect to each of the matters or areas to which the direction relates either—
- (a) that he consents to the making of regulations with respect to that matter or in relation to that area in pursuance of that proposal; or
  - (b) that he is not prepared in any circumstances to consent to the making of such regulations in pursuance of that proposal; or
  - (c) that subject to sub-paragraph (2) below he is prepared to consider consenting to the making of such regulations in pursuance of that proposal if a revised draft is submitted to him for the purpose incorporating modifications of a specified nature or in other specified circumstances;
- and before deciding the notification to be given to [<sup>F5</sup>the local authority] under this paragraph with respect to any matter or in relation to any area the Secretary of State may if he thinks fit appoint a person to hold any inquiry in connection with that matter or area, and subsections (2) to (5) of section 250 of the <sup>M1</sup>Local Government Act 1972 shall apply to any such inquiry as they apply to such an inquiry as is referred to in subsection (1) of that section, with the substitution for any reference to a department of a reference to the Secretary of State.
- (2) The Secretary of State shall not consider any such revised draft as is referred to in sub-paragraph (1)(c) above unless he is satisfied that [<sup>F5</sup>the local authority]—
- (a) have taken appropriate steps to inform any persons affected by the modifications incorporated in the revised draft of the nature of those modifications and have afforded those persons a reasonable opportunity to make representations with respect to the revised draft regulations; and
  - (b) have supplied the Secretary of State with copies of any such representations made.

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#### Textual Amendments

**F5** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(b\)](#)

#### Marginal Citations

**M1** [1972 c. 70\(81:1\)](#).

- 5 (1) In the case of any proposal, [<sup>F6</sup>the local authority] may if they think fit at any time after the expiration of the period of twelve weeks make regulations in pursuance of that proposal with respect to any matter or in relation to any area which is not the subject of a direction under paragraph 3, or which is the subject of a consent under paragraph 4(1)(a) above, being regulations either—
- (a) in the form of the provisional draft with any modifications necessary in consequence of any such direction with respect to any other matter or area; or
  - (b) subject to sub-paragraph (2) below, in the form of that draft modified in such manner as [<sup>F6</sup>the local authority] think fit, whether as a result of any representations to which paragraph 2 above applies or otherwise.
- (2) [<sup>F6</sup>The local authority] shall not make any regulations by virtue of sub-paragraph (1) (b) above unless a draft of the regulations in the form in which they are to be made has been submitted to the Secretary of State and the Secretary of State has given his consent to their being made.

#### Textual Amendments

**F6** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(b\)](#)

- 6 In deciding in the case of any proposal whether or not to make any regulations in pursuance thereof by virtue of paragraph 5 above [<sup>F7</sup>the local authority] shall have regard to any representations to which paragraph 2 above applies; and in deciding whether or not to give any consent under this Part of this Schedule to the making of regulations by [<sup>F7</sup>the local authority] in pursuance of any such proposal, the Secretary of State shall have regard to any such representations, to the report of any person appointed to hold an inquiry under paragraph 4 above in connection with the proposal in question, and to any such representations as are referred to in sub-paragraph (2) of paragraph 4; and the Secretary of State shall cause notice of the giving by him of any consent under this Part of this Schedule to be published in the London Gazette.

#### Textual Amendments

**F7** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(b\)](#)

## PART II

### REVOCATION OR VARIATION OF PERMANENT LICENCE

- 7 Subject to the provisions of Parts III and IV of this Schedule with respect to appeals and compensation, the provisions of this Part of this Schedule shall apply in relation to any permanent licence granted by the local authority.

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- 8 If at any time it appears to the local authority expedient to do so in the interests of the proper planning of transport in [<sup>F8</sup>their area], they may by not less than twelve months' notice in writing to the holder of the licence either—
- (a) revoke the licence; or
  - (b) vary the terms and conditions thereof specified under section 43(4)(b) and (c) of this Act.

#### Textual Amendments

**F8** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(c\)](#)

- 9 If at any time it appears to the local authority that the holder of a licence (whether the person for the time being holding that licence or a previous holder thereof) has discontinued making parking spaces available to the public at the licensed parking place and that the discontinuance has lasted for a period of not less than two years, then, subject to paragraph 13 below, they may by notice in writing to the holder of the licence revoke it.
- 10 If at any time it appears to the local authority that for a period of not less than two years the person, or each of the persons, who was for the time being during that period the holder of a licence in respect of a licensed parking place has made available to the public at that parking place a substantially lower number of parking spaces than that authorised by the licence, then, subject to paragraph 13 below, they may by notice in writing to the holder of the licence vary the terms and conditions of the licence specified under section 43(4)(b) and (c) of this Act so as to authorise the provision at the licensed parking place of only that number of parking spaces which it appears to the local authority was being provided at the date of the notice.
- 11 If in the case of a licensed parking place which was ready for operation at the date of the grant of the licence the local authority are satisfied at any time that for a period of not less than two years beginning with that date the person, or each of the persons, who was for the time being during that period the holder of the licence has not made any significant number of parking spaces available to the public at the licensed parking place, then, subject to paragraph 13 below, they may by notice in writing to the holder of the licence revoke it.
- 12 (1) Where at the date when the licence was granted the development as a public off-street parking place of the premises in respect of which the licence was granted had not been begun or had not been completed then, subject to paragraph 13 below—
- (a) if there has been a period of not less than three years since that date without that development being begun, or
  - (b) if there has been a period of not less than seven years since that date without that development being completed, or
  - (c) if for a period of not less than two years beginning with the date of the completion of that development the person, or each of the persons, who was for the time being during that period the holder of the licence has not made any significant number of parking spaces available to the public at the licensed parking place,
- the local authority may by notice in writing to the holder of the licence revoke it.
- (2) For the purposes of sub-paragraph (1) above the development there referred to shall be taken to begin at the earliest date on which [<sup>F9</sup>any material operation within the

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meaning of section 56(4) of the Town and Country Planning Act 1990] comprised in that development begins to be carried out.

#### Textual Amendments

**F9** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 64\(2\)\(a\)](#)

- 13 Where notice under paragraph 9, 10, 11 or 12(1) above is given after the expiration of the relevant period referred to in the paragraph in question the notice shall be of no effect if it is given more than three months after the expiration of that period.

### PART III

#### RIGHTS OF APPEAL

- 14 (1) If a person who is, or who proposes to become, the operator of a public off-street parking place in a controlled area or any other person entitled to an interest in the premises used or proposed to be used for the purposes of that parking place is aggrieved by a decision of the local authority—

- (a) to refuse an application for the grant of a licence in respect of those premises; or
- (b) as to the terms and conditions to be specified under section 43(4) (b) and (c) of this Act in a licence granted in respect of those premises; or
- (c) to refuse an application for a variation of the terms and conditions so specified in a permanent licence granted in respect of those premises; or
- (d) to revoke a licence granted in respect of those premises; or
- (e) to vary under Part II of this Schedule any of the terms and conditions specified under the said section 43(4)(b) and (c) in a permanent licence granted in respect of those premises,

he may by notice served within such time (not being less than twenty-eight days from the date of notification of the decision to which it relates) and in such manner as the Secretary of State may by regulations under paragraph 17 below direct, appeal to the Secretary of State from that decision.

- (2) If in a case where—

- (a) a person makes an application to the local authority for a licence in respect of premises in respect of which a licence is not for the time being in force; or
- (b) the person who is the holder of a permanent licence in respect of any premises duly makes an application to the local authority for a specified variation of the terms and conditions of the licence specified under the said section 43(4)(b) and (c),

the local authority have not notified that person of their decision on his application by the expiration of the period of two months beginning with the date when they received the application or such longer period beginning with that date as may have been agreed for the purpose between that person and the local authority, the local authority shall be deemed for the purposes of this Schedule to have notified that person at the date of the expiration of that period that they have decided to refuse the application.



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- 15 The Secretary of State shall not be required to entertain an appeal under this Part of this Schedule from any decision of a local authority if or to the extent that it appears to him that the decision was necessary in order to comply with the requirements of section 43 of this Act or with any regulations made by [<sup>F10</sup>the local authority] by virtue of subsection (6) of that section which are for the time being in force.

**Textual Amendments**

**F10** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(d\)](#)

- 16 (1) Subject to sub-paragraph (2) below, before determining an appeal under this Part of this Schedule the Secretary of State shall, if either the appellant or the local authority so request, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
- (2) If the Secretary of State thinks fit in any case where such a request is made, he may, instead of complying with that request, appoint a person to hold an inquiry in connection with the appeal, and subsections (2) to (5) of section 250 of the <sup>M2</sup>Local Government Act 1972 shall apply to any such inquiry as they apply to such an inquiry as is referred to in subsection (1) of that section, with the substitution for any reference to a department of a reference to the Secretary of State.

**Marginal Citations**

**M2** [1972 c. 70\(81:1\)](#).

- 17 (1) The Secretary of State may by regulations make provisions as to the procedure to be followed in connection with appeals under this Part of this Schedule, including the procedure in connection with matters preparatory to, or subsequent to, the consideration of the appeal.

<sup>F11</sup>(2) . . . . .

**Textual Amendments**

**F11** Sch. 4 para. 17(2) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), [Sch. 17](#)

- 18 (1) On an appeal being brought under this Part of this Schedule from a decision of the local authority, the Secretary of State may either dismiss the appeal or substitute for that decision such other decision, as he thinks fit; and, subject to sub-paragraph (2) below, the decision of the Secretary of State on the appeal shall be final and shall be binding both on the appellant and on the local authority, and the local authority shall take such steps as may be necessary to give effect to any such substituted decision.
- (2) Subsection (1) of section 13 of the <sup>M3</sup>Tribunals and Inquiries Act 1971 (which relates to appeals on points of law from decisions of certain tribunals) shall apply to a decision of the Secretary of State on an appeal under this Part of this Schedule as it applies to a decision of any of the tribunals mentioned in that subsection, but as if the reference to any party to proceedings before such a tribunal were a reference to the local authority or any person who had, or if aggrieved would have had, a right to appeal to the Secretary of State under this Part of this Schedule, whether or not

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he has exercised that right; and accordingly references in subsections (1) and (3) of that section to a tribunal shall be construed in relation to such an appeal as references to the Secretary of State.

#### Marginal Citations

M3 1971 c. 62(127).

## PART IV

### RIGHT TO COMPENSATION IN CERTAIN CIRCUMSTANCES

19 Where a person who, at the date when the area is first designated as a controlled area by regulations of [<sup>F12</sup>the local authority] under section 43 of this Act, is the operator of a public off-street parking place at premises in that area which have at that date been used as such a parking place for a continuous period of not less than six months duly makes an application to the local authority for a licence in respect of those premises before the expiration of the period prescribed for such applications in respect of parking places in operation at that date, and the local authority decide either—

- (a) to refuse the application; or
- (b) to grant the applicant a licence on terms and conditions specified under subsection (4)(b) and (c) of section 43 such that under the licence the applicant will not be able to operate the premises as a parking place to such advantage or potential advantage as immediately before he made his application,

paragraph 22 below shall apply to that decision of the local authority.

#### Textual Amendments

F12 Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(d\)](#)

20 Where—

- (a) at the date when notice of a proposal to make regulations under section 43 of this Act designating an area as a controlled area for the purposes of that section is published by [<sup>F13</sup>the local authority] under paragraph 1 above—
  - (i) planning permission has been granted for a development which consists of or includes the provision at any premises in that area of a public off-street parking place; and
  - (ii) that development involves substantial building or engineering operations within the meaning of [<sup>F14</sup>section 336(1) of the Town and Country Planning Act 1990]; and
  - (iii) either one or more specified operations within the meaning of section 64(3) of the <sup>M4</sup>Land Commission Act 1967 comprised in that development have begun to be carried out or a contract (other than a lease) has been entered into with a person carrying on a business consisting wholly or mainly of the execution of building operations or of building operations and engineering operations

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- whereby that person has undertaken to erect in the course of that business at the said premises a building or structure as a place for the provision of parking spaces for motor vehicles; and
- (b) at the date when the area is designated as a controlled area in pursuance of that proposal those premises have not been in use as such a parking place to the full extent provided for by the planning permission for a continuous period of not less than six months; and
  - (c) the person operating or proposing to operate those premises as such a parking place duly makes application to the local authority for a licence in respect of those premises before the expiration of the period prescribed for such applications in respect of parking places in operation at the date referred to in sub-paragraph (b) above; and
  - (d) the local authority decide either—
    - (i) to refuse the application; or
    - (ii) to grant the applicant a licence on terms and conditions specified under subsection (4)(b) and (c) of the said section 43 such that under the licence the applicant will not be able to operate the premises as such a parking place to such advantage or potential advantage as if the area had not been designated as a controlled area,

paragraph 22 below shall apply to that decision of the local authority.

#### Textual Amendments

- F13** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(38\)\(d\)](#)
- F14** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 64\(2\)\(b\)](#)

#### Marginal Citations

- M4** 1967 c. 1.

- 21 Paragraph 22 below shall apply to any decision of the local authority—
- (a) to revoke a permanent licence under paragraph 8 above; or
  - (b) to vary under paragraph 8 any of the terms and conditions specified in a permanent licence under section 43(4)(b) and (c) of this Act in such manner that the holder of the licence will not be able to operate the licensed parking place to such advantage or potential advantage as if the variation had not been made; or
  - (c) to refuse an application by the holder of a permanent licence for a special variation of the terms and conditions specified under section 43(4)(b) and (c) in a case where—
    - (i) by reason of a happening beyond the control of the holder of the licence he cannot continue to operate the licensed parking place in accordance with the licence as for the time being in force to such advantage or potential advantage as before that happening; and
    - (ii) the making of that variation would wholly or partly mitigate the adverse effects of that happening without enabling the holder of the licence to operate the licensed parking place to greater advantage or potential advantage than before that happening.

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- 22 (1) If, on a claim made to the local authority in writing within the period of six months or such longer period as may be allowed under sub-paragraph (2) below beginning with the date when the person who is, or who proposes to become, the operator of a public off-street parking place is, or is deemed under paragraph 14(2) above to have been, notified of a decision of the local authority under section 43 of this Act or Part II of this Schedule relating to that parking place, that person or any other person entitled to an interest in the premises used or proposed to be used for the purposes of that parking place shows that the decision is one to which, under paragraph 19, 20 or 21 above, this paragraph is to apply and that the claimant has suffered damage in consequence of that decision by depreciation of the value of his interests in those premises, or by being disturbed in his enjoyment of those premises, the local authority shall pay the claimant compensation in respect of that damage.
- (2) If within the period of six months referred to in sub-paragraph (1) above any such person as is referred to in that sub-paragraph has made an application to the Secretary of State for that purpose and has given notice to the local authority of the making of that application, the Secretary of State may, if he thinks fit, in the circumstances of the case, direct that sub-paragraph (1) above shall apply in relation to the decision in question as if for the reference in that sub-paragraph to six months there were substituted a reference to such longer period as the Secretary of State thinks fit.
- (3) For the purpose of determining whether or not a claimant has suffered damage, there shall be taken into account any alternative use to which the premises could reasonably be put, being a use in the case of which the local authority show either—
- (a) that any necessary planning permission, whether conditional or unconditional, for that use has already been granted; or
  - (b) that the local planning authority have given an undertaking that if planning permission for that use is applied for it will be granted either unconditionally or subject to specified conditions;
- and in a case where this paragraph applies by virtue of paragraph 21(c) above there shall also be taken into account any alternative variation to that applied for by the holder of the licence in question which the local authority have undertaken to grant on an application being made for that purpose.
- (4) [F15Section 117 of the Town and Country Planning Act 1990] shall apply to any compensation payable under sub-paragraph (1) above in respect of depreciation of the value of a claimant’s interest in the premises concerned; and any question as to the right to, or the amount of, compensation under sub-paragraph (1) shall be referred to and determined by the Lands Tribunal, and in relation to the determination of any such question the provisions of sections 2 and 4 of the M5Land Compensation Act 1961 shall apply subject to any necessary modifications.
- (5) Where compensation has become payable under sub-paragraph (1) above in respect of an interest in any premises and subsequently an order with respect to the use of those premises as a parking place is made under [F16section 97 or 102 of paragraph 1 of Schedule 9 to the said Act of 1990], the amount of that compensation shall be taken into account in assessing any compensation on a claim by reason of expenditure, loss or damage in consequence of that order made in respect of that interest under [F16section 107 or, as the case may be, section 115 of that Act].

F17(6) .....

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#### Textual Amendments

- F15** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 64\(2\)\(c\)\(i\)](#)
- F16** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 64\(2\)\(c\)\(i\)](#)
- F17** Sch. 4 para. 22(6) repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\), ss. 1, 102\(2\)\(3\), Sch. 17](#)

#### Marginal Citations

- M5** [1961 c. 33\(28:1\)](#).

- 23 Where notice of appeal from any such decision of the local authority as is referred to in paragraph 19, 20 or 21 above has been duly given under Part III of this Schedule—
- (a) paragraph 22 above shall not have effect in relation to that decision until that appeal is determined or abandoned;
  - (b) the person who is, or who proposes to become, the operator of a public off-street parking place at the premises to which the decision relates shall be deemed for the purposes of paragraph 22 to have been notified of the local authority's decision on the date when the appeal is determined or abandoned; and
  - (c) if on that appeal the Secretary of State substitutes a different decision for that of the local authority, the local authority shall be deemed for the purposes of paragraph 22 to have made that substituted decision and not their original decision.
- 24 Where, in the case of a decision of the local authority relating to any premises, paragraph 22 above applies to that decision both by virtue of paragraph 19 and by virtue of paragraph 20 above, then—
- (a) upon the person who is, or who proposes to become, the operator of a public off-street parking place at those premises making a claim in respect of that decision under paragraph 22 by virtue of either of paragraphs 19 and 20, any subsequent claim in respect of thereof by that person by virtue of the other of those paragraphs, and any claim in respect thereof made whether before or after that person's claim by any other person by virtue of the other of those paragraphs, shall be of no effect; and
  - (b) subject to paragraph (a) above, if a claim in respect of that decision is made under paragraph 22 by any person by virtue of either of paragraphs 19 and 20 any subsequent claim in respect thereof by virtue of the other of those paragraphs shall be of no effect.

## PART V

### PERMISSIBLE PERIODS OF UNLICENSED OPERATION OF PARKING PLACE

- 25 Where, at the date when any area first becomes a controlled area, a person is operating a public off-street parking place in that area, he shall not be guilty of an offence under section 43(12) of this Act by reason of continuing to operate the parking place after that date without a licence—

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- (a) at any time before the expiration of the period prescribed for the making of applications for licences in respect of parking places in operation at that date; or
- (b) if during that period he duly makes an application for a licence in respect of the parking place, at any time after the expiration of that period but before the local authority notify him either that he has been granted a licence or that his application is refused; or
- (c) if the local authority notify him that his application is refused, at any time thereafter before the expiration of the time for giving notice of appeal from that decision under Part III of this Schedule; or
- (d) if such a notice of appeal is duly given, at any time thereafter until either the local authority's decision becomes finally effective under the procedure provided for by the said Part III or the licence is granted.
- 26 Where in pursuance of the application referred to in sub-paragraph (b) of paragraph 25 above the person referred to in that paragraph is granted a licence, he shall not be guilty of an offence under section 43(10) of this Act by reason of contravening or failing to comply with any of the terms and conditions specified in the licence under subsection (4)(b) and (c) of that section—
- (a) at any time before the expiration of the time for giving notice of appeal under Part III of this Schedule from the decision of the local authority as to those terms and conditions; or
- (b) if such a notice of appeal is duly given, at any time thereafter until either the local authority's decision becomes finally effective under the procedure provided for by the said Part III or the terms and conditions specified as aforesaid in the licence are varied as a result of that procedure.
- 27 Where the operator of a public off-street parking place who is the holder of a licence in respect of that parking place granted for a limited period duly makes an application to the local authority before the date of expiry of that licence for a new licence (whether permanent or for a limited period) authorising the operation of that parking place for a further period after that date, then, if and for so long as he continues to operate that parking place after that date in accordance with the terms and conditions of the expired licence (other than the provision as to its date of expiry)—
- (a) he shall not be guilty of an offence under section 43(12) of this Act by reason of operating the parking place after the date aforesaid without a licence—
- (i) at any time before the local authority notify him either that he has been granted a new licence in respect of the parking place or that his application is refused; or
- (ii) if the local authority notify him that his application is refused at any time thereafter before the expiration of the period for giving notice of appeal from that decision under Part III of this Schedule; or
- (iii) if such a notice of appeal is duly given, at any time thereafter until either the local authority's decision becomes finally effective under the procedure provided for by the said Part III or a new licence is granted;
- (b) where he is granted a new licence in pursuance of the application, he shall not be guilty of an offence under section 43(10) by reason of contravening or failing to comply with any of the terms and conditions specified in that new licence under subsection (4)(b) and (c) of that section—

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- (i) at any time before the expiration of the time for giving notice of appeal under Part III of this Schedule from the decision of the local authority as to those terms and conditions; or
- (ii) if such a notice of appeal is duly given, at any time thereafter until either the local authority's decision becomes finally effective under the procedure provided for by Part III or the terms and conditions specified in the new licence are varied as a result of that procedure.

## SCHEDULE 5

Section 74.

BUILDINGS IN RELATION TO WHICH A SECRETARY OF STATE IS  
THE APPROPRIATE AUTHORITY FOR THE PURPOSES OF SECTION 74

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

**C2** Sch. 5 para. 3 amended by Gas Act 1986 (c. 44, SIF 44:2). s. 67(1)(3), Sch. 7 para. 2(2), Sch. 8 para. 33 and Electricity Act 1989 (c. 29, SIF 44:1), s. 112(1), Sch. 16 para. 2(5)(9), **Sch. 17 para. 33**

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1. A building owned by a person authorised by or in pursuance of any enactment to carry on any railway, road transport dock or harbour undertaking	The Secretary of State for Transport.
2. A building owned by a person authorised by or in pursuance of any enactment to carry on any canal or inland navigation undertaking	The Secretary of State for the Environment.
3. A building owned by electricity or gas undertakers or the National Coal Board	The Secretary of State for Trade and Industry.
4. A building owned by [ <sup>F18</sup> a water authority or by a statutory water company as defined in section 38 of the <sup>M6</sup> Water Act 1973][ <sup>F18</sup> the National Rivers Authority, a water undertaker or a sewerage undertaker]	The Secretary of State for the Environment.
5. A building forming part of an aerodrome licensed under the <sup>M7</sup> Civil Aviation Act 1982 or any enactment repealed by that Act.	The Secretary of State for Transport.
6. A building owned by the Post Office	The Secretary of State for Trade and Industry.
7. A building owned by the Greater London Council, a London borough council or the Common Council of the City of London	The Secretary of State for the Environment.

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#### Textual Amendments

**F18** Words commencing “the National Rivers Authority” substituted (E.W.) for words commencing “a water authority” by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 190, 193(1), [Sch. 25 para. 69](#), [Sch. 26 paras. 17, 40\(4\), 57\(6\)](#), **58**

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

**C3** [Sch. 5 para. 3](#) amended (1.3.1996) by [1995 c. 45, s. 16\(1\)](#), [Sch. 4 para. 2\(2\)\(h\)](#); [S.I. 1996/218, art. 2](#)

#### Marginal Citations

**M6** [1973 c. 37\(130\)](#).

**M7** [1982 c. 16\(9\)](#).

## SCHEDULE 6

Section 86.

### SPEED LIMITS FOR VEHICLES OF CERTAIN CLASSES

#### PART I

#### VEHICLES FITTED WITH PNEUMATIC TYRES ON ALL WHEELS

(SEE APPLICATION PROVISIONS BELOW THE FOLLOWING TABLE)

TABLE

1 Item No.	2 Class of Vehicle	3 Maximum speed (in miles per hour) while vehicle is being driven on:		
		(a) Motorway	(b) Dual carriageway road not being a motorway	(c) Other road
1.	A passenger vehicle, motor caravan or dual-purpose vehicle not drawing a trailer being a vehicle with an unladen weight exceeding 3·05 tonnes or adapted to carry more than 8 passengers:			
	(i) if not exceeding 12 metres in overall length	70	60	50
	(ii) if exceeding 12 metres in overall length	60	60	50
2.	An invalid carriage	not applicable	20	20



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3.	A passenger vehicle, motor caravan, car-derived van or dual-purpose vehicle drawing one trailer	[ <sup>F19</sup> 60]	[ <sup>F19</sup> 60]	50
4.	A passenger vehicle, motor caravan, car-derived van or dual-purpose vehicle drawing more than one trailer	40	20	20
5.	(1) A goods vehicle having a maximum laden weight not exceeding 7.5 tonnes and which is not— (a) an articulated vehicle, or (b) drawing a trailer, or (c) a car-derived van	70	60	50
	(2) A goods vehicle which is— (a) (i) an articulated vehicle having a maximum laden weight not exceeding 7.5 tonnes, or (ii) a motor vehicle, other than a car-derived van, which is drawing one trailer where the aggregate maximum laden weight of the motor vehicle and the trailer does not exceed 7.5 tonnes	60	[ <sup>F20</sup> 60]	50
	(b) (i) an articulated vehicle having	60	50	40

*Status: Point in time view as at 25/02/1991.*

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	a maximum laden weight exceeding 7·5 tonnes,			
	(ii) a motor vehicle having a maximum laden weight exceeding 7·5 tonnes and not drawing a trailer,			
	or (iii) a motor vehicle drawing one trailer where the aggregate maximum laden weight of the motor vehicle and the trailer exceeds 7·5 tonnes			
	(c) a motor vehicle, other than a car-derived van, drawing more than one trailer	40	20	20
6.	A motor tractor (other than an industrial tractor), a light locomotive or a heavy locomotive—(a) if the provisions about springs and wings as specified in paragraph 3 of Part IV of this Schedule are complied with and the vehicle is not drawing a trailer, or if those provisions are complied with and the vehicle is drawing one trailer which also complies with those provisions	40	30	30

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	(b) in any other case	20	20	20
7.	A works truck	18	18	18
8.	An industrial tractor	not applicable	18	18
[ <sup>F21</sup> 9].	[ <sup>F21</sup> An agricultural motor vehicle]	[ <sup>F21</sup> 40]	[ <sup>F21</sup> 40]	[ <sup>F21</sup> 40]

**Textual Amendments**

**F19** Figure "60" in Sch. 6 Pt. 1 item 3 substituted by [S.I. 1986/1175](#), [reg. 2\(1\)\(a\)](#)

**F20** Figure "60" in Sch. 6 Pt. 1 item 5 substituted by [S.I. 1986/1175](#), [reg. 2\(1\)\(b\)](#)

**F21** Item 9 in Sch. 6 Pt. 1 added by [S.I. 1986/1175](#), [reg. 2\(1\)\(c\)](#)

*Application*

This Part applies only to motor vehicles, not being track-laying vehicles, every wheel of which is fitted with a pneumatic tyre and to such vehicles drawing one or more trailers, not being track-laying vehicles, every wheel of which is fitted with a pneumatic tyre.

**PART II**

VEHICLES (OTHER THAN TRACK-LAYING VEHICLES)  
 NOT FITTED WITH PNEUMATIC TYRES ON ALL WHEELS

*(see application provisions below the following Table)*

TABLE

<b>1</b>	<b>2</b>	<b>3</b>
<b>Item No.</b>	<b>Class of Vehicle</b>	<b>Maximum Speed (in miles per hour) while vehicle is being driven on a road</b>
1.	A motor vehicle, or in the case of a motor vehicle drawing one or more trailers, the combination, where—(a) every wheel is fitted with a resilient tyre, or(b) at least one wheel is fitted with a resilient tyre and every wheel which is not fitted with a resilient tyre is fitted with a pneumatic tyre	20

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2.	A motor vehicle, or in the case of a motor vehicle drawing one or more trailers, the combination, where any wheel is not fitted with either a pneumatic tyre or a resilient tyre	5
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### *Application*

This Part does not apply to—

- (a) a motor vehicle which is a track-laying vehicle; or
- (b) a motor vehicle which is not a track-laying vehicle but which is drawing one or more trailers any one of which is a track-laying vehicle.

## PART III

### TRACK-LAYING VEHICLES

(SEE APPLICATION PROVISIONS BELOW THE FOLLOWING TABLE)

TABLE

1 Item No.	2 Class of Vehicle	3 Maximum Speed (in miles per hour) while vehicle is being driven on a road
1.	A motor vehicle being a track-laying vehicle which is fitted with—(a) springs between its frame and its weight-carrying rollers, and(b) resilient material between the rims of its weight-carrying rollers and the surface of the road, and which is not drawing a trailer	20
2.	A vehicle specified in item 1 above drawing one or more trailers each one of which is either—(a) a track-laying vehicle fitted with springs and resilient material as mentioned in that item, or(b) not a track-laying vehicle and each wheel of which is fitted with either a pneumatic tyre or a resilient tyre	20

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3. A vehicle specified in item 1 above drawing one or more trailers any one of which is either—(a) a track-laying vehicle not fitted with springs and resilient material as mentioned in that item, or (b) not a track-laying vehicle and at least one wheel of which is not fitted with either a pneumatic tyre or a resilient tyre 5
4. A motor vehicle being a track-laying vehicle which is not fitted with springs and resilient material as mentioned in item 1 above, whether drawing a trailer or not 5
5. A motor vehicle not being a track-laying vehicle, which is drawing one or more trailers any one or more of which is a track-laying vehicle—  
(a) if every wheel of the motor vehicle and of any non-track-laying trailer is fitted with a pneumatic tyre or with a resilient tyre, and every trailer which is a track-laying vehicle is fitted with springs and resilient material as mentioned in item 1 (b) in any other case 20

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### *Application*

This Part applies to—

- (a) a motor vehicle which is a track-laying vehicle, and
- (b) a motor vehicle of any description which is drawing one or more trailers any one or more of which is a track-laying vehicle.

## **PART IV**

### APPLICATION AND INTERPRETATION

- 1 This Schedule does not apply to a vehicle which is being used for the purpose of experiments or trials under section 6 of the <sup>M8</sup>Road Improvements Act 1925 or section 283 of the <sup>M9</sup>Highways Act 1980.

*Status: Point in time view as at 25/02/1991.*

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### Marginal Citations

**M8** 1925 c. 68(108).

**M9** 1980 c. 66(59).

## 2 In this Schedule—

[<sup>F22</sup> “agricultural motor vehicle” ] “articulated vehicle”, “dual-purpose vehicle”, “industrial tractor”, “passenger vehicle”, “pneumatic tyre”, “track-laying”, “wheel” and “works truck” have the same meanings as are respectively given to those expressions in Regulation 3(1) of the <sup>M10</sup>Motor Vehicles (Construction and Use) Regulations 1978;

“car-derived van” means a goods vehicle which is constructed or adapted as a derivative of a passenger vehicle and which has a maximum laden weight not exceeding 2 tonnes;

“construction and use requirements” has the same meaning as in [<sup>F23</sup>section 41(7) of the Road Traffic Act 1988];

“dual-carriageway road” means a road part of which consists of a central reservation to separate a carriageway to be used by vehicles proceeding in one direction from a carriageway to be used by vehicles proceeding in the opposite direction;

“goods vehicle” has the same meaning as in [<sup>F24</sup>section 192(1) of the Road Traffic Act 1988];

“maximum laden weight” in relation to a vehicle or a combination of vehicles means—

- (a) in the case of a vehicle, or combination of vehicles, in respect of which a gross weight not to be exceeded in Great Britain is specified in construction and use requirements, that weight;
- (b) in the case of any vehicle, or combination of vehicles, in respect of which no such weight is specified in construction and use requirements, the weight which the vehicle, or combination of vehicles, is designed or adapted not to exceed when in normal use and travelling on a road laden;

“motor caravan” has the same meaning as in Regulation 2(1) of the <sup>M11</sup>Motor Vehicles (Type Approval) (Great Britain) Regulations 1979;

“motorway” has the same meaning as in Regulation 3(1) of the <sup>M12</sup>Motorways Traffic (England and Wales) Regulations 1982, as regards England and Wales, and Regulation 2(2) of The <sup>M13</sup>Motorways Traffic (Scotland) Regulations 1964, as regards Scotland; and

“resilient tyre” means a tyre, not being a pneumatic tyre, which is soft or elastic.

### Textual Amendments

**F22** Words inserted by [S.I. 1986/1175, reg. 2\(2\)](#)

**F23** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\), s. 4 Sch. 3 para. 25\(10\)\(a\)](#)

**F24** Words substituted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\), s. 4 Sch. 3 para. 25\(10\)\(b\)](#)

*Status: Point in time view as at 25/02/1991.*

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**Marginal Citations**

- M10** S.I. 1978/1017.
- M11** S.I. 1979/1092.
- M12** S.I. 1982/1163.
- M13** S.I. 1964/1002.

- 3 The specification as regards springs and wings mentioned in item 6 of Part I of this Schedule is that the vehicle—
- (i) is equipped with suitable and sufficient springs between each wheel and the frame of the vehicle, and
  - (ii) unless adequate protection is afforded by the body of the vehicle, is provided with wings or other similar fittings to catch, so far as practicable, mud or water thrown up by the rotation of the wheels.
- 4 A vehicle falling in two or more classes specified in Part I, II or III of this Schedule shall be treated as falling within the class for which the lower or lowest speed limit is specified.

<sup>F25</sup>SCHEDULE 7

**Textual Amendments**

- F25** Schedule 7 repealed with savings by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), ss. 3, 5, Sch. 1 Pt. I, Sch. 4 paras. 1–3, **5(1)**

SCHEDULE 8

Section 111.

STATUTORY STATEMENTS (EXCESS CHARGES)

**PART I**

STATUTORY STATEMENT OF OWNERSHIP OR HIRING

- 1 For the purposes of the specified sections, a statutory statement of ownership is a statement in the prescribed form, signed by the person furnishing it and stating—
- (a) whether he was the owner of the vehicle at the relevant time; and
  - (b) if he was not the owner of the vehicle at the relevant time, whether he ceased to be the owner before, or became the owner after, the relevant time, and, if the information is in his possession, the name and address of the person to whom, and the date on which, he disposed of the vehicle or, as the case may be, the name and address of the person from whom, and the date on which, he acquired it.

*Status: Point in time view as at 25/02/1991.*

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- 2 For the purposes of the specified sections, a statutory statement of hiring is a statement in the prescribed form, signed by the person furnishing it, being the person by whom a statement of liability was signed and stating—
- (a) whether at the relevant time the vehicle was let to him under the hiring agreement to which the statement of liability refers; and
  - (b) if it was not, the date on which he returned the vehicle to the possession of the vehicle-hire firm concerned.

PROSPECTIVE

## PART II

### STATUTORY STATEMENT OF FACTS

- [<sup>F263</sup> For the purposes of the specified sections, a statutory statement of facts is a statement which is in the prescribed form and which either—
- (a) states that the person furnishing it was the driver of the vehicle at the relevant time and is signed by him; or
  - (b) states that that person was not the driver of the vehicle at the relevant time, states the name and address at the time the statement is furnished of the person who was the driver of the vehicle at the relevant time and is signed both by the person furnishing it and by the person stated to be the driver of the vehicle at the relevant time.]

#### Textual Amendments

**F26** Sch. 8 para. 3 substituted (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), s. 1(2), [Sch. 2 para. 16](#)

## PART III

### INTERPRETATION

- 4 In this Schedule “the specified sections” has the meaning assigned to it by subsection (1) of section 111 of this Act.
- 5 Subsections (2) to (4) of that section shall have effect for the purposes of Parts I and II of this Schedule as they have effect for the purposes of the specified sections.
- 6 In paragraph 2 above “statement of liability”, “hiring agreement” and “vehicle-hire firm” have the same meanings as in section 109 of this Act.



*Status: Point in time view as at 25/02/1991.*

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## SCHEDULE 9

Section 124.

### SPECIAL PROVISIONS AS TO CERTAIN ORDERS

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

- C4** Sch. 9: transfer of functions (23.3.2005) by [The Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 2005 \(S.I. 2005/849\)](#), art. 2, [Sch.](#) (with art. 6)

## PART I

### RESERVE POWERS OF SECRETARY OF STATE

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

- C5** Sch. 9 Pt. I (paras. 1–12) applied by [Road Traffic Act 1988 \(c. 52, SIF 107:1\)](#), s. 19A(7) (as inserted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, [Sch. 2 para. 22\(1\)](#))

[<sup>F27</sup>1 Subject to paragraphs 8 and 26 of this Schedule, the Secretary of State, after consultation with a local authority having power to make an order under or by virtue of any of the following provisions of this Act, namely, sections 1, 6, 9, 19, 32, 35, 37, 38, 45, 46, 49(2) and (4), 53, 83(2) and 84 (in this Part of this Schedule referred to as an "authorised authority") may give to that authority a direction under paragraph 2 below with respect to any of those provisions.]

#### Textual Amendments

- F27** Sch. 9 para. 1 substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(39\)\(a\)](#)

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

- C6** Sch. 9 para. 1: Transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), arts. 1, 2, [Sch. 1](#) (with art. 7); [S.I. 1998/3178](#), art. 3

2 A direction under this paragraph is a direction either—

- (a) requiring the <sup>F28</sup> . . . authorised authority <sup>F28</sup> . . . to make an order under or by virtue of the provision or provisions in question for a specified purpose and coming into operation before the expiry of a specified period, or
- (b) prohibiting the <sup>F28</sup> . . . authority (either generally, or without the consent of the Secretary of State, or for a specified period) from making or bringing into operation an order under or by virtue of the provision or provisions in question with respect to specified matters or a specified area.

#### Textual Amendments

- F28** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), [Sch. 17](#)

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- 3 (1) Any power to make an order conferred on <sup>F29</sup> . . . an authorised authority by any of the provisions specified in <sup>F29</sup> . . . paragraph 1 above shall, subject to sub-paragraph (2) below, be exercisable by the Secretary of State as well as by the <sup>F29</sup> . . . authority.
- (2) No order shall be made by virtue of sub-paragraph (1) above except for the purpose of securing the object of a direction under paragraph 2 above given to <sup>F29</sup> . . . an authorised authority with which the <sup>F29</sup> . . . authority have failed to comply.

#### Textual Amendments

**F29** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), [Sch. 17](#)

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

**C7** Sch. 9 para. 3(1): Transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), arts. 1, 2, [Sch. 1](#) (with art. 7); [S.I. 1998/3178](#), [art. 3](#)

- 4 Where the Secretary of State has made an order by virtue of paragraph 3 above—
- (a) so far as appears to him necessary in order to make the order effective, he, or (except where the power is a power of [<sup>F30</sup>the council of a London borough or the Common Council of the City of London under section 6, 9, 45, 46, 49(2) or (4), 83(2) or 84 of this Act]) any other local authority with whom he may make arrangements for the purpose, shall have power to do anything which <sup>F31</sup> . . . the authorised authority would have had power to do if the order had been made by them, and
- (b) he may recover from the <sup>F32</sup> . . . authorised authority any expenses incurred by him by virtue of sub-paragraph (a) above (such expenses, in England or Wales, to be so recoverable by him summarily as a civil debt).

#### Textual Amendments

**F30** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(39\)\(b\)](#)

**F31** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), 102(2)(3), [Sch. 5 para. 4\(39\)\(b\)](#), Sch. 17

**F32** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), 102(2)(3), [Sch. 5 para. 4\(39\)\(b\)](#) Sch. 17

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

**C8** Sch. 9 para. 4: Transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), arts. 1, 2, [Sch. 1](#) (with art. 7); [S.I. 1998/3178](#), [art. 3](#)

- 5 (1) Paragraphs 1 to 4 above shall have effect in any case in which it appears to the Secretary of State that [<sup>F33</sup>the council of a London borough or the Common Council of the City of London] have failed in the exercise of the powers conferred on them by section 6 of this Act to make such provision for the control of heavy commercial vehicles in [<sup>F33</sup>their area] as is appropriate for preserving or improving the amenities of [<sup>F33</sup>their area], as if—
- (a) the power conferred by paragraph 1 above to give a direction with respect to section 6 of this Act were a duty to give such a direction; and

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- (b) the power to make an order under that section conferred by paragraph 3 above were a duty to make such an order or a similar order under section 9 of this Act.
- (2) Any reference in this Act to paragraph 1 or 3 above shall be construed as including a reference to that paragraph as modified by this paragraph.

#### Textual Amendments

**F33** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(39\)\(c\)](#)

- 6 (1) Where by virtue of paragraph 3 above a parking place has been designated under section 45<sup>F34</sup> . . . of this Act by an order of the Secretary of State, then if, with the consent of the Treasury, the Secretary of State enters into an agreement with the local authority<sup>F34</sup> . . . for the transfer to that authority<sup>F34</sup> . . . of the operation of that parking place—
- (a) the operation of the parking place, and such apparatus or other things held by, and rights or liabilities of, the Secretary of State in connection with the parking place as may be specified in the agreement, shall be transferred as from such date and on such terms (including terms as to the making of payments to or by the Secretary of State) as may be so specified;
- (b) from the taking effect of any such transfer of the operation of the parking place, the order designating the parking place shall have effect subject to such modifications (if any) appearing to the Secretary of State to be requisite in consequence of the transfer as he may direct; and
- (c) the provisions of sections 45 to [<sup>F35</sup>49] and section 55 of this Act shall thereafter apply as if the parking place had been designated under section 45 by an order made by<sup>F36</sup> . . . the local authority<sup>F36</sup> . . .
- (2) In this paragraph “local authority” has the meaning assigned to it by section 45(7) of this Act.

#### Textual Amendments

**F34** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), [Sch. 17](#)

**F35** “49” substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(39\)\(d\)](#)

**F36** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), 102(2)(3), [Sch. 5 para. 4\(39\)\(d\)](#) Sch. 17

- 7 (1) Subject to paragraph 8 below, the Secretary of State, after giving notice to<sup>F37</sup> . . . the authorised authority concerned and holding, if he thinks fit, a public inquiry, may by order vary or revoke any order made, or having effect as if made, under or by virtue of any of the provisions referred to in<sup>F37</sup> . . . paragraph 1 above.
- (2) This paragraph shall have effect without prejudice to any power to make an order for the like purpose by virtue of paragraph 3 above and Part IV of this Schedule.
- (3) The power to make an order conferred by this paragraph shall be exercisable by statutory instrument.

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#### Textual Amendments

**F37** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), [Sch. 17](#)

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

**C9** Sch. 9 para. 7: Transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), arts. 1, 2, [Sch. 1](#) (with art. 7); [S.I. 1998/3178](#), [art. 3](#)

- 8 The Secretary of State shall not give any direction under paragraph 2 above or, subject to paragraph 9 below, make any order under paragraph 7 above unless he is satisfied, having regard to any matters appearing to him to be relevant, that the duty under section 122(1) of this Act of <sup>F38</sup> . . . the authorised authority concerned is not being satisfactorily discharged by the <sup>F38</sup> . . . authority, and that the giving of the direction or the making of the order is necessary to secure compliance with that duty.

#### Textual Amendments

**F38** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), [Sch. 17](#)

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

**C10** Sch. 9 para. 8: Transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), arts. 1, 2, [Sch. 1](#) (with art. 7); [S.I. 1998/3178](#), [art. 3](#)

- 9 The Secretary of State may make an order under paragraph 7 above notwithstanding that he is not satisfied as mentioned in paragraph 8 above, if he is satisfied, having regard to any matters appearing to him to be relevant, that there are special circumstances which make it expedient that the order should be made.

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

**C11** Sch. 9 para. 9: Transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), arts. 1, 2, [Sch. 1](#) (with art. 7); [S.I. 1998/3178](#), [art. 3](#)

- 10 Where the Secretary of State—
- (a) gives a direction under paragraph 2 above requiring a county council or district council to make an order under section 32(1) or 35(1) of this Act, or
  - (b) makes such an order by virtue of paragraph 3 above,
- subsections (1) to (5) of section 39 of this Act shall not apply in relation to anything done in pursuance of the direction or, as the case may be, in relation to the making of the order by the Secretary of State.
- 11 Where the Secretary of State—
- (a) gives a direction under paragraph 2 above requiring a county council or district council in Wales to make an order under any of the provisions specified in section 54(1) of this Act, or
  - (b) by virtue of paragraph 3 above, makes such an order in relation to a parking place in Wales,

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nothing in subsections (1) to (4) of section 54 of this Act shall apply in relation to anything done in pursuance of the direction or, as the case may be, in relation to the making of the order by the Secretary of State.

12 Where the Secretary of State—

- (a) gives a direction under paragraph 2 above requiring a county council [<sup>F39</sup>or metropolitan district council] or parish or community council to make an order under section 35(1) of this Act in relation to a parking place provided by a parish or community council, or
- (b) by virtue of paragraph 3 above, makes such an order in relation to such a parking place,

neither subsections (4) and (5) nor subsection (7) of section 59 of this Act shall apply in relation to anything done in pursuance of the direction or, as the case may be, in relation to the making of the order by the Secretary of State.

#### Textual Amendments

**F39** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(39\)\(e\)](#)

VALID FROM 19/01/2005

[<sup>F40</sup>12A Article 2 of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (SI 1999/1750) shall not apply to a provision of this Schedule in so far as it relates to the exercise of a power under this Act by virtue of section 22C.

#### Textual Amendments

**F40** Sch. para. 12A, 12B inserted (19.1.2005) by [Civil Contingencies Act 2004 \(c. 36\)](#), ss. 32, 34, [Sch. 2 para. 16\(4\)\(b\)](#); S.I. 2004/3281, [art. 2\(3\)\(4\)](#)

VALID FROM 19/01/2005

12B A power conferred upon the Secretary of State by this Schedule shall, in so far as it relates to the exercise of a power under this Act by virtue of section 22C, be exercisable in relation to Wales by the National Assembly for Wales with the consent of the Secretary of State.]

#### Textual Amendments

**F40** Sch. para. 12A, 12B inserted (19.1.2005) by [Civil Contingencies Act 2004 \(c. 36\)](#), ss. 32, 34, [Sch. 2 para. 16\(4\)\(b\)](#); S.I. 2004/3281, [art. 2\(3\)\(4\)](#)

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## PART II

### CONSENT OF SECRETARY OF STATE TO CERTAIN ORDERS

- 13 (1) Where in the case of any order proposed to be made by a local authority other than [<sup>F41</sup>the council of a London borough and the Common Council of the City of London] under or by virtue of any of the following provisions of this Act, namely, sections 1, 9, 19, 29, 32, 35, 37, 38, 45, 46, 49, 83(2) and 84, it is proposed to include in the order any provision—
- (a) so prohibiting or restricting the use of a road as to prevent, for more than 8 hours in any period of 24 hours, access for vehicles of any class to any premises situated on or adjacent to that road or any other premises accessible for vehicles of that class from, and only from, that road, or
  - (b) applying to a trunk road, or
  - (c) directing that a principal road shall be, or cease to be, a restricted road for the purposes of section 81 of this Act, or
  - (d) being, in the case of an order for the purposes of section 84(1) of this Act—
    - (i) a provision applying to a principal road, or
    - (ii) a provision applying to any road a speed limit of less than 30 miles per hour, or
  - (e) varying or revoking, within 12 months of its making, any order made by, or made in pursuance of a direction given by, the Secretary of State, or
  - (f) making provision as respects any length of road for any purpose within 12 months after the date when a previous order made as respects that length of road for a similar purpose was varied or revoked by an order made by, or made in pursuance of a direction given by, the Secretary of State,
- then (except in a case to which sub-paragraph (2) or sub-paragraph (3) below applies, or where the provision is to be included in pursuance of a direction under paragraph 2 of this Schedule) the order shall not be made without the consent of the Secretary of State.
- (2) This sub-paragraph applies where—
- (a) it is proposed to include in the order any such provision as is mentioned in sub-paragraph (1)(a) above, and
  - (b) either—
    - (i) no owner, lessee or occupier of premises such as are mentioned in sub-paragraph (1)(a) above has submitted to the authority any objection to the inclusion of that provision in the order, or
    - (ii) any such owner, lessee or occupier who has submitted such an objection has withdrawn it.
- (3) This sub-paragraph applies in the case of any order proposed to be made under section 9 of this Act where—
- (a) it is proposed to include in the order any such provision as is mentioned in sub-paragraph (1)(a) above, and
  - (b) the effect of the prohibition by the order of the use of the road to which it relates or of any restriction on the use of that road contained in the order would be to prevent vehicles, or vehicles of any class, being loaded or unloaded in that road or to prevent persons boarding or alighting from a

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- [<sup>F42</sup>vehicle being used in the provision of a local service within the meaning of the Transport Act 1985] on that road, and
- (c) either—
- (i) no person has submitted to the authority any objection to the making of the order on the ground that it would prevent vehicles, or vehicles of that class, being loaded or unloaded in the road, and no person being the operator of a [<sup>F43</sup>local service (within the meaning of the Transport Act 1985)] has submitted to the authority any objection to the making of the order on the ground that it would prevent persons boarding or alighting from a [<sup>F43</sup>vehicle] being used in that service in the road, or
  - (ii) any such person who has submitted an objection on that ground has withdrawn it.

#### Textual Amendments

**F41** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(39\)\(f\)](#)

**F42** Words substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 1(3), [Sch. 1 para. 15\(5\)\(a\)](#)

**F43** Word(s) substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 1(3), [Sch. 1 para. 15\(5\)\(b\)](#)

- 14 Where in the case of any order proposed to be made by [<sup>F44</sup>the council of a London borough or the Common Council of the City of London] under or by virtue of any of the following provisions of this Act namely, sections 6, 9, 35, 38, 45, 46, 49, <sup>F45</sup> . . . 83(2) and 84, it is proposed to include in the order any provision such as is mentioned in sub-paragraphs (b) to (f) of paragraph 13(1) above, then (except where the provision is to be included in pursuance of a direction under paragraph 2 of this Schedule) the order shall not be made except with the consent of the Secretary of State.

#### Textual Amendments

**F44** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(39\)\(g\)](#)

**F45** “50,” repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), 102(2)(3), [Sch. 5 para. 4\(39\)\(g\)](#), Sch. 17

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

**C12** Sch. 9 para. 14 restricted (16.6.1999) by [S.I. 1999/1608](#), [art. 2](#)

- 15 (1) The Secretary of State may by order add to or remove from the orders for which his consent is required by paragraphs 13 and 14 above such orders made by such local authorities for such purposes or in such circumstances as he may see fit to specify in his order.
- (2) No order under this paragraph removing any order from the orders for which the consent of the Secretary of State is for the time being required shall be made unless a draft of the order has been approved by a resolution of each House of Parliament.
- (3) Any other order under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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

**C13** Sch. 9 para. 15: Transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**

- 16 (1) In consenting to any order submitted to him for his consent under this Part of this Schedule, the Secretary of State may consent to the order either in the form in which it is submitted to him or with such modifications as he thinks fit, which may include additions, exceptions, or other modifications of any description.
- (2) Where the Secretary of State proposes to consent to such an order with modifications which appear to him substantially to affect the character of the order as submitted to him, he shall, before doing so, take such steps as appear to him to be sufficient and reasonably practicable for informing the local authority in question and other persons likely to be concerned.

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

**C14** Sch. 9 para. 16: Transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**

- 17 (1) The Secretary of State may by order grant a general consent for the making of orders requiring his consent under this Part of this Schedule—
- (a) of such descriptions, or
  - (b) with respect to such matters only, or
  - (c) made by such local authorities, or by authorities of such classes of descriptions, or
  - (d) made in such circumstances, or
  - (e) complying with such requirements,
- as may be specified in the order.
- (2) Any order under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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

**C15** Sch. 9 para. 17: Transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**

- 18 The power to make an order conferred by paragraph 15 or 17 above shall be exercisable by statutory instrument.
- 19 In this Part of this Schedule “principal road” means a road for the time being classified as a principal road—
- (a) by virtue of section 12 of the <sup>M14</sup>Highways Act 1980 (whether as falling within subsection (1) or as being so classified under subsection (3)), or
  - (b) by the Secretary of State under section <sup>F46</sup>11(1) of the <sup>M15</sup>Roads (Scotland) Act 1984].



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#### Textual Amendments

**F46** Words substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 128(1), **Sch. 9 para. 93(45)(a)**

#### Marginal Citations

**M14** [1980 c. 66\(59\)](#).

**M15** [1984 c. 54\(108\)](#).

### PART III

#### PROCEDURE AS TO CERTAIN ORDERS

#### Subordinate Legislation Made

**P1** Sch. 9 Pt. III: s. 124 (with Sch. 9 Pt. III) power exercised (20.11.1991) by [S.I.1991/2709](#)

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

**C16** Sch. 9 Pt. III (paras. 20-26) applied by [Road Traffic Act 1988 \(c. 52, SIF 107:1\)](#), s. 19A(7) (as inserted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, **Sch. 2 para. 22(1)**)

**C17** Sch. 9 Pt. III applied (with modifications) (6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\)](#), ss. 1, 3(2), **Sch.**

Sch. 9 Pt. III applied (E.W.) (temp. from 5.10.2009) by [London Olympic Games and Paralympic Games Act 2006 \(c. 12\)](#), ss. 14(3), 40(2)(6), 41(3); [S.I. 2009/2577](#), art. 2

- 20 (1) Subject to sub-paragraph (2) below, before [<sup>F47</sup>a] local authority make an order under or by virtue of any of the following provisions of this Act, namely, sections 1, 6, 9, 19, 29, 30, 32, 35, 37, 38, 45, 46, 49, . . . <sup>F48</sup> 61, 83(2) and 84, they shall consult with the chief officer of police of any police area in which any road or other place to which the order is to relate is situated; and, if the order in question has to be submitted to the Secretary of State for his consent under Part II of this Schedule, the authority shall so consult before submitting the order to the Secretary of State.
- (2) Sub-paragraph (1) above shall not apply to an order made in pursuance of a direction under paragraph 2 of this Schedule, and shall have effect without prejudice to any further requirements contained in any regulations made under the subsequent provisions of this Part of this Schedule.

#### Textual Amendments

**F47** Word substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), **Sch. 5 para. 4(39)(h)**

**F48** “50,” repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), 102(2)(3), **Sch. 5 para. 4(39)(b)**, Sch. 17

- 21 As respects orders of a local authority other than [<sup>F49</sup>the council of a London borough or the Common Council of the City of London] under any of the provisions referred to in paragraph 20(1) above other than section 30 of this Act, the Secretary of State may make regulations for providing the procedure to be followed in connection with the

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making of such orders, the submission of such orders for the consent of the Secretary of State or a county council where such submission is required, and the consideration by him or by the county council of any such order submitted to him or them; and the Secretary of State shall by regulations under this paragraph make such (if any) provision as he considers appropriate with respect to—

- (a) the publication of any proposal for the making of such an order;
- (b) the making and consideration of objections to any such proposal; and
- (c) the publication of notice of the making of the order and of its effect.

#### Textual Amendments

**F49** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(1), [Sch. 5 para. 4\(39\)\(i\)](#)

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

**C18** [Sch. 9 para. 21](#) extended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 2, 8(2), [Sch. 5 paras. 7\(1\), 9](#)

- 22 (1) Without prejudice to the generality of paragraph 21 above, regulations under that paragraph may include provision—
- (a) as to the form of any such order as is mentioned in that paragraph;
  - (b) for the holding of inquiries for the purposes of any such order and as to the appointment of the person by whom any such inquiry is to be held;
  - (c) for the making of modifications in any such order, whether in consequence of any objections or otherwise, before the order is made;
  - (d) requiring any such order to include such exemptions for such purposes and subject to such exceptions as may be provided for by the regulations;
  - (e) requiring the authority by whom any such order is made to place and maintain, or cause to be placed and maintained, such traffic signs in connection with that order as may be so provided for.
- (2) In sub-paragraph (1)(e) above, in its application to an order under section 61 of this Act, the reference to traffic signs shall be construed in accordance with subsection (8) of that section.
- 23 (1) The Secretary of State, after consultation with [<sup>F50</sup>the council of a London borough of the Common Council of the City of London],—
- (a) as respects orders made by [<sup>F50</sup>that council] under any of the provisions referred to in paragraph 20(1) above other than section 30 of this Act, may make regulations for any of the like purposes as those for which regulations are required or authorised to be made under paragraph 21 above;
  - (b) with respect to any other order the making of which by [<sup>F50</sup>that council] requires the consent of the Secretary of State, may make regulations for providing the procedure to be followed in connection with the obtaining of that consent.
- (2) In paragraph 22(1)(c) above, so far as it relates to regulations made under this paragraph, “modifications” shall be construed as including additions, exceptions or other modifications of any description.

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#### Textual Amendments

**F50** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), **ss. 1, (2), 8(1)**, Sch. 5 para. 4(39)(j)

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

**C19** [Sch. 9 para. 23](#) extended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), **ss. 1, 2, 8(2)**, Sch. 5 paras. 7(1), 9

- 24 The Secretary of State may make regulations with respect to the procedure in connection with the making by him—
- (a) of any order made by virtue of paragraph 3 or made under paragraph 7 of this Schedule, or
  - (b) of any order which he is authorised to make with respect to trunk roads under any of the provisions referred to in paragraph 20(1) above,
- or with respect to the procedure in connection with appeals to him by district councils under sections 39 and 54 of this Act.
- 25 Any regulations under this Part of this Schedule may make different provision for different orders or for different circumstances; and where any such regulations require an authority to post any notice in a [<sup>F51</sup>highway][<sup>F51</sup>road], the authority may, whether or not they are the [<sup>F52</sup>highway][<sup>F52</sup>roads] authority, take such steps for that purpose as they think fit, including the use for that purpose of any lamp-post, traffic sign or other structure whatsoever in the [<sup>F51</sup>highway][<sup>F51</sup>road], whether or not belonging to that authority.

#### Textual Amendments

**F51** Word “road” substituted (S.) for word “highway” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 128(1), **Sch. 9 para. 93(45)(b)**

**F52** Words “roads” substituted (S.) for word “highway” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 128(1), **Sch. 9 para. 93(45)(b)**

- 26 (1) Before giving any authority a direction under paragraph 2 of this Schedule to make (with or without modifications) an order under any of the provisions referred to in paragraph 20(1) above, in connection with which steps have already been taken in pursuance of regulations made under this Part of this Schedule, the Secretary of State shall consider any objections made to that order.
- (2) If the order is directed to be made with modifications which appear to the Secretary of State to affect substantially the character of the order, he shall take such steps as appear to him to be sufficient and reasonably practicable for informing any local authority concerned and any other person likely to be concerned.

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

**C20** [Sch. 9 para. 26](#): Transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), **arts. 1, 2**, **Sch. 1** (with art. 7); [S.I. 1998/3178](#), **art. 3**

*Status: Point in time view as at 25/02/1991.*

*Changes to legislation: Road Traffic Regulation Act 1984 is up to date with all changes known to be in force on or before 26 June 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)*

## PART IV

### VARIATION OR REVOCATION OF CERTAIN ORDERS

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

- C21** Pt. IV (paras. 27–29) applied by [Road Traffic Act 1988 \(c. 52, SIF 107:1\)](#), s. 19A(7) (as inserted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, [Sch. 2 para. 22\(1\)](#))
- C22** Sch. 9 Pt. IV applied (with modifications)(6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\)](#), s. 1, [Sch. s. 3\(2\)](#).

- 27 (1) Subject to sub-paragraph (2) below, any power to make an order as respects any road or parking place conferred by or by virtue of any of the following provisions of this Act, namely, sections 1, 6, 9, 19, 29, 30, 32, 35, 37, 38, 45, 46, 49(2) and (4), 50, 53, 83 and 84 and paragraph 7 of this Schedule, shall include power for the authority for the time being having power to make such an order as respects that road or parking place to make an order varying or revoking any previous order as respects that road or parking place made, or having effect as if made, under or by virtue of the provision in question, whether the previous order was made by that or some other authority, and notwithstanding that the previous order was, and the order varying or revoking it is not, made in pursuance of a power exercisable by statutory instrument.
- (2) Sub-paragraph (1) above shall have effect—
- (a) subject to sections 39(6), 54(5) and 59(6) of this Act, and
  - (b) without prejudice to section 50(6) of this Act.
- 28 For the avoidance of doubt it is hereby declared that, subject to Part II of this Schedule, the power to vary or revoke an order made under or by virtue of any of the provisions referred to in paragraph 27(1) above extends to the variation or revocation of any such order in connection with the provision in question as is mentioned below, notwithstanding that it was made by, or by direction of, the Secretary of State, that is to say—
- (a) an order made in pursuance of a direction under paragraph 2 of this Schedule;
  - (b) except where the provision in question is section 45, 46, 49, 50 or 53 of this Act, an order made by virtue of paragraph 3 of this Schedule;
  - (c) where the provision in question is section 45, 46, 49 . . . <sup>F53</sup> or 53 of this Act an order which is made by virtue of paragraph 3 of this Schedule and relates to a parking place for the time being controlled by the local authority within the meaning of section 45 of this Act <sup>F53</sup> . . . ; or
  - (d) an order under paragraph 7 of this Schedule.

#### Textual Amendments

- F53** “, 50” repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), [Sch. 17](#)

- 29 Nothing in paragraph 8 of this Schedule shall prevent the exercise by the Secretary of State of the power to revoke any order made by him under paragraph 7 of this Schedule.

*Status: Point in time view as at 25/02/1991.*

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## PART V

### CONSULTATION WITH TRAFFIC COMMISSIONERS

- 30 This Part of this Schedule applies to any order made under section 19 or 38(1)(a) of this Act, otherwise than in pursuance of a direction under paragraph 2 of this Schedule.
- 31 Before making an order to which this Part of this Schedule applies, the local authority—
- (a) shall consult with the traffic [<sup>F54</sup>commissioner] for any traffic area constituted for the purposes of the <sup>M16</sup>Public Passenger Vehicles Act 1981 in which the area, or any part of the area, of the local authority is situated, and
  - (b) if the local authority's area is situated wholly or partly within an area [<sup>F55</sup>which is a passenger transport area for the purposes of Part II of the Transport Act 1968, shall consult with the Passenger Transport Executive for that passenger transport area.]

#### Textual Amendments

**F54** Word substituted by Transport Act 1985 (c. 67, SIF 126), s. 3(5), **Sch. 2 Pt. II para. 6**

**F55** Words substituted by Transport Act 1985 (c. 67, SIF 126), s. 57(6), **Sch. 3 para. 33**

#### Marginal Citations

**M16** 1981 c. 14(107:1).

- 32 If the order is required to be submitted to the Secretary of State for his consent under Part II of this Schedule, the local authority shall consult as mentioned in paragraph 31 above before submitting it to the Secretary of State for his consent.
- 33 Paragraphs 31 and 32 above shall have effect without prejudice to paragraph 20 or to any regulations made under paragraph 21 or (in relation to an order under section 38(1)(a) of this Act) any regulations made under paragraph 23 of this Schedule.

## PART VI

### VALIDITY OF CERTAIN ORDERS

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

**C23** Pt. VI (paras. 34–37) extended by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 2, 8(2), **Sch. 5 para. 8**

**C24** Pt. VI (paras. 34–37) amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 8(2), **Sch. 5 para. 12(4)**

**C25** Pt. VI (paras. 34–37) applied by Road Traffic Act 1988 (c. 52, SIF 107:1), s. **19A(7)** (as inserted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. **4 Sch. 2 para. 22(1)**)

**C26** Sch. 9 Pt. VI applied (with modifications)(6.3.1992) by Aberdeen Harbour Order Confirmation Act 1992 (c. ii), s. 1, **Sch. s. 3(2)**.

*Status: Point in time view as at 25/02/1991.*

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- 34 (1) This Part of this Schedule applies—
- (a) to any order made under or by virtue of any of the following provisions of this Act, namely, sections 1, 6, 9, 19, 32, 37 and 38, and
  - (b) to any designation order.
- (2) In this Part of this Schedule—
- (a) “the relevant powers”, in relation to any such order as is mentioned in sub-paragraph (1)(a) above, means the powers with respect to such an order conferred by this Act, and, in relation to a designation order, means the powers of sections 45, 46, 49, . . . <sup>F56</sup> and 53 of this Act, and
  - (b) “the relevant requirements”, in relation to any such order as is mentioned in sub-paragraph (1)(a) above, means any requirement of, or of any instrument made under, any provision of this Act with respect to such an order, and, in relation to a designation order, means any requirement of sections 45, 46, 49, . . . <sup>F56</sup> and 53 of this Act or of Parts I to III of this Schedule or of any regulations made under Part III of this Schedule.

**Textual Amendments**

**F56** “50” repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 1, 102(2)(3), [Sch. 17](#)

- 35 If any person desires to question the validity of, or of any provision contained in, an order to which this Part of this Schedule applies, on the grounds—
- (a) that it is not within the relevant powers, or
  - (b) that any of the relevant requirements has not been complied with in relation to the order,
- he may, within 6 weeks from the date on which the order is made, make an application for the purpose to the High Court or, in Scotland, to the Court of Session.

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

**C27** Sch. 9 para. 35 applied (with modifications) (3.11.1994) by [1994 c. 40, ss. 34\(8\), 82\(3\)](#)

- 36 (1) On any application under this Part of this Schedule the court—
- (a) may, by interim order, suspend the operation of the order to which the application relates, or of any provision of that order, until the final determination of the proceedings; and
  - (b) if satisfied that the order, or any provision of the order, is not within the relevant powers, or that the interests of the applicant have been substantially prejudiced by failure to comply with any of the relevant requirements, may quash the order or any provision of the order.
- (2) An order to which this Part of this Schedule applies, or a provision of any such order, may be suspended or quashed under sub-paragraph (1) above either generally or so far as may be necessary for the protection of the interests of the applicant.

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

**C28** Sch. 9 para. 36 applied (with modifications) (3.11.1994) by [1994 c. 40, ss. 34\(8\), 82\(3\)](#)

*Status: Point in time view as at 25/02/1991.*

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- 37 Except as provided by this Part of this Schedule, an order to which this Part of this Schedule applies shall not, either before or after it has been made, be questioned in any legal proceedings whatever.

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

**C29** Sch. 9 para. 37 applied (with modifications) (3.11.1994) by 1994 c. 40, ss. 34(8), 82(3)

SCHEDULE 10

Section 144.

TRANSITIONAL PROVISIONS AND SAVINGS

*General*

- 1 (1) In this Schedule “the <sup>M17</sup>1967 Act” means the Road Traffic Regulation Act 1967.
- (2) For the purposes of any provision of this Schedule which refers—
- (a) to an enactment repealed by this Act, or to the repeal by this Act of any enactment, and
  - (b) to the commencement of this Act,
- the commencement of this Act shall be taken to be the date on which the repeal by this Act of that enactment takes effect.

**Marginal Citations**

**M17** 1967 c. 76(107:1).

- 2 Where any enactment or document refers, whether specifically or by means of a general description, to an enactment repealed by and re-enacted (with or without modification) in this Act, or is to be construed as so referring, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.
- 3 Any reference in this Act (whether express or implied) to a thing done or required or authorised to be done, or omitted to be done, or deemed to have been done, or to an event which has occurred, under or by virtue of or for the purposes of, or by reference to, any provision of this Act includes (except where the context otherwise requires) a reference to the corresponding thing done, or having effect as if done, or required or authorised to be done, or omitted to be done, or deemed to have been done, or to the corresponding event which has occurred, as the case may be, under or by virtue of or for the purposes of or by reference to, the corresponding enactment repealed by this Act.
- 4 (1) Without prejudice to paragraph 3 above, any reference in this Act (whether express or implied) to a thing done by the Secretary of State, a local authority or any other authority under a provision of this Act includes (except where the context otherwise requires) a reference to the corresponding thing done, or having effect as if done, by a predecessor authority under the corresponding provision repealed by this Act.
- (2) In sub-paragraph (1) above “predecessor authority”—

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- (a) in relation to the Secretary of State, means the Minister of Transport or other Minister exercising the relevant function before the transfer of the function to the Secretary of State, and
- (b) in relation to a council, means the authority exercising the relevant function before it vested in the council under the <sup>M18</sup>Local Government Act 1972, the <sup>M19</sup>London Government Act 1963, the <sup>M20</sup>Local Government (Scotland) Act 1973 or any other enactment.
- (3) In sub-paragraph (2) above any reference to the Minister or authority exercising a function includes a reference to a Minister or authority exercising that function for particular purposes only or in relation only to a particular part of Great Britain.

**Marginal Citations**

**M18** 1972 c. 70(81:1).

**M19** 1963 c. 33(81:1).

**M20** 1973 c. 65(81:2).

- 5 Without prejudice to paragraphs 3 and 4 above, any power which, under an enactment repealed by this Act, was exercisable by the Secretary of State, a local authority or other authority immediately before the commencement of this Act by reference (whether express or implied) to anything done before the commencement of this Act may be exercised by the Secretary of State or that authority, as the case may be, under the corresponding provision of this Act.
- 6 Where a period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision of this Act had been in force when that period began to run.

*Traffic regulation byelaws in Scotland*

- 7 Any byelaw made under section 104 of the <sup>M21</sup>Roads and Bridges (Scotland) Act 1878 or paragraph (1) or (3) of section 385 of the <sup>M22</sup>Burgh Police (Scotland) Act 1892 which—
- (a) was in force immediately before the commencement of the 1967 Act and by virtue of paragraph 6 of Schedule 8 to that Act had effect as if it were an order made under section 1 of that Act; and
- (b) continues so to have effect immediately before the commencement of this Act,
- shall have effect as if it were an order under section 1 of this Act.

**Marginal Citations**

**M21** 1878 c. 51.

**M22** 1892 c. 55(81:2).



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*Meaning of “heavy commercial vehicle”*

- 8
- (1) The following are the provisions referred to in subsection (7) of section 138 of this Act which, by virtue of that subsection, are to have effect for the purpose specified in that subsection during a transitional period; and the transitional period referred to in that section is the period beginning with 28th October 1982 and ending with 31st December 1989.
  - (2) Subject to sub-paragraphs (3) to (6) below, for the purpose and during the transitional period referred to in sub-paragraph (1) above “heavy commercial vehicle” means any vehicle, whether mechanically propelled or not, which is constructed or adapted for the carriage of goods and has an unladen weight exceeding 3 tons.
  - (3) The Secretary of State may by regulations amend sub-paragraph (2) above in either or both of the following ways, that is to say—
    - (a) by substituting, for the reference to unladen weight, a reference to such other description of weight as may be specified in the regulations;
    - (b) by substituting, for the reference to 3 tons, a reference to such other weight as may be so specified.
  - (4) Different regulations may be made under sub-paragraph (3) above for the purposes of different provisions of this Act and as respects different classes of vehicles or as respects the same class of vehicles in different circumstances and as regards different times of the day or night and as respects roads in different localities.
  - (5) Regulations under sub-paragraph (3) above shall not so amend sub-paragraph (2) above that there is any case in which a vehicle whose unladen weight does not exceed 3 tons is, by virtue of this paragraph, a heavy commercial vehicle for the purposes of any of the provisions of this Act.
  - (6) In the application of sub-paragraphs (2) to (5) above to a vehicle drawing one or more trailers, the drawing vehicle and the trailer or trailers shall be treated as one vehicle.

*Pedestrian crossings*

- 9
- (1) Subsections (2) and (3) of section 23 of this Act shall apply in relation to the alteration and removal of crossings established, or having effect as if established, under section 21 of the 1967 Act (whether as that section had effect at any time before the commencement of the <sup>M23</sup>Local Government, Planning and Land Act 1980 or as it had effect by virtue of that Act) as they apply in relation to the alteration and removal of crossings established under section 23 of this Act.
  - (2) Section 25(6) of this Act shall apply in relation to a crossing established, or having effect as if established—
    - (a) by a local authority under section 21 of the 1967 Act (whether as that section had effect at any time before the commencement of the said Act of 1980 or as it had effect by virtue of that Act), or
    - (b) by a Minister under section 22 of the 1967 Act,as it applies in relation to a crossing established by a local authority under section 23 or by the Secretary of State under section 24 of this Act.

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#### Marginal Citations

**M23** 1980 c. 65(81:1, 2).

#### *Parking places*

- 10 (1) The power conferred on a local authority by section 33(7) of this Act shall have effect in relation to an off-street parking place provided by the authority under section 81 of the <sup>M24</sup>Road Traffic Act 1960, or under that section as applied by virtue of section 82 of that Act, or under the corresponding provisions of the enactments repealed by that Act, as well as (by virtue of any of the provisions of the <sup>M25</sup>Interpretation Act 1978) it has effect in relation to an off-street parking place provided by the authority under section 28 of the 1967 Act.
- (2) Any arrangements for collecting and retaining charges as mentioned in section 33(7) of this Act which were made in respect of any parking place provided under any of the provisions referred to in sub-paragraph (1) above, and which are in force immediately before the commencement of this Act, shall continue to have effect after the repeal by this Act of section 29(9) of the 1967 Act, as if they were arrangements made under section 33(7) of this Act.

#### Marginal Citations

**M24** 1960 c. 16.(107:1).

**M25** 1978 c. 30(115:1).

- 11 (1) The repeal by this Act of Schedule 8 to the 1967 Act shall not affect the operation of paragraph 9 of that Schedule in relation to orders made before 1st January 1963 under the enactments mentioned in that paragraph (which saved such orders from the effect of the repeal of those enactments by that Act) except that the power to revoke or vary any such order shall be exercisable by an order under section 46 or 49 of this Act.
- (2) Without prejudice to the power of revocation conferred by sub-paragraph (1) above, an order made by a Minister before 1 January 1963 under section 86 or 87 of the <sup>M26</sup>Road Traffic Act 1960 may be revoked by an order of the Secretary of State.
- (3) The power to make an order under sub-paragraph (2) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### Marginal Citations

**M26** 1960 c. 16(107:1).

<sup>F57</sup>12 .....

#### Textual Amendments

**F57** Sch. 10 para. 12 repealed by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), ss. 3, 5, [Sch. 1 Pt. I](#), [Sch. 4 paras. 1–3](#) and [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), [Sch. 1 Pt. X](#)

*Status: Point in time view as at 25/02/1991.*

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- 13 Nothing in [<sup>F58</sup>subsections (1) to (3B) of section 35 or subsections (1) to (4) of section 35A] of this Act shall affect the [<sup>M27</sup>Restriction of Ribbon Development (Power to Provide Parking Places) Order 1936, so far as it applies to the City of London, or shall apply to any byelaws having effect as respects the City of London by virtue of that Order; and that Order, so far as it so applies, shall continue to have effect by virtue of this paragraph.

#### Textual Amendments

**F58** Words substituted by [Parking Act 1989 \(c. 16, SIF 107:1\)](#), s. 4, [Sch. para. 9](#)

#### Marginal Citations

**M27** S. R. & O 1936/1088.

### *Speed limits*

- [<sup>F59</sup>14 (1) A direction in an order made under section 1 of the [<sup>M28</sup>Road Traffic Act 1934 that a length of road is to be deemed to be, or not to be, a road in a built-up area, if—
- (a) by virtue of paragraph 10 of Schedule 8 to the 1967 Act it had effect as a direction that that length of road was to become, or (as the case may be) was to cease to be, a restricted road for the purposes of section 71 of that Act, and
  - (b) the direction continues so to have effect immediately before the commencement of this Act,
- shall have the like effect for the purposes of section 81 of this Act.
- (2) Any reference in any provision of an Act, or of any instrument (other than such an order as is mentioned in sub-paragraph (1) above) made under an enactment repealed by the [<sup>M29</sup>Road Traffic Act 1960, to a road in a built-up area, if the provision is in force immediately before the commencement of this Act, shall be construed as a reference to a restricted road for the purposes of section 81 of this Act.]

#### Textual Amendments

**F59** Sch. 10 paras. 14–16 repealed (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), ss. 128(1), 156(3), [Sch. 10 para. 4\(1\)](#), [Sch. 11](#)

#### Marginal Citations

**M28** 1934 c. 50(107:1).

**M29** 1960 c. 16(107:1).

- [<sup>F60</sup>15 Any limit of speed which was in force on 1st November 1962 by virtue of any direction, order or regulation given or made by an authority under section 19(2), 26 or 34 of the Road Traffic Act 1960, if—
- (a) by virtue of paragraph 12 of Schedule 8 to the 1967 Act it was deemed to have been imposed by an order made by that authority under section 74(1) of the 1967 Act, and
  - (b) it continues to be in force immediately before the commencement of this Act shall be deemed to have been imposed by an order made by that authority under section 84(1) of this Act and may be revoked or varied accordingly.]

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#### Textual Amendments

**F60** Sch. 10 paras. 14–16 repealed (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), ss. 128(1), 156(3), [Sch. 10 para. 4\(1\)](#), [Sch. 11](#)

- [<sup>F61</sup>16 (1) This paragraph applies to any road which—
- (a) would have become a restricted road for the purposes of section 71 of the <sup>M30</sup>1967 Act on 1st November 1982 as a result of the repeal of section 72(2) of the 1967 Act by section 61 of the Transport Act 1982; but
  - (b) by reason of section 61(2) of that Act was taken to have ceased to be a restricted road before that day by virtue of a direction duly given under section 72(3) of the 1967 Act and still in force at the beginning of that day; and
  - (c) did not become a restricted road at any time between the beginning of that day and the commencement of this Act.
- (2) At the commencement of this Act, any road to which this paragraph applies shall be treated as if it were the subject of a direction duly given under section 82(1)(a) of this Act.
- (3) Nothing in sub-paragraph (2) above prevents a direction under section 82(2)(b) of this Act being given in respect of any road to which this paragraph applies.]

#### Textual Amendments

**F61** Sch. 10 paras. 14–16 repealed (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), ss. 128(1), 156(3), [Sch. 10 para. 4\(1\)](#), [Sch. 11](#)

#### Marginal Citations

**M30** 1982 c. 49(107:1).

#### *Saving for agreements and incidental matters*

- 17 (1) The repeal of this Act by any enactment shall not affect any agreement which, immediately before the commencement of this Act, has effect in pursuance of the enactment, notwithstanding that the enactment is not re-enacted in this Act; and any provision conferring a power to determine disputes or other provision incidental to any such agreement which, immediately before the commencement of this Act, has effect in connection with the agreement shall continue to have effect notwithstanding the repeal.
- (2) Without prejudice to the operation of sub-paragraph (1) above in relation to any agreement under subsection (8) of section 34 of the <sup>M31</sup>Transport (London) Act 1969 (which relates to agreements consequential upon the transfer of traffic signs and related property and rights to the Greater London Council under subsection (6) of that section), the repeal by this Act of that section (and in particular of subsection (9)) shall not cause that council to be treated for the purposes of the <sup>M32</sup>Public Utilities Street Works Act 1950 as the highway authority for any highway for which they would not be the highway authority apart from any such transfer.
- (3) Sub-paragraphs (1) and (2) above shall have effect without prejudice to the operation of the preceding provisions of this Schedule, or of any provisions of the

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<sup>M33</sup>Interpretation Act 1978, in relation to an enactment repealed by this Act which is re-enacted in it, with or without modification.

**Marginal Citations**

**M31** 1969 c. 35(126).

**M32** 1950 c. 39(59).

**M33** 1978 c. 30(115:1).

*Offences relating to disabled persons' concessions*

- 18 The repeal by this Act of section 2 of the <sup>M34</sup>Disabled Persons Act 1981 shall not affect the operation of subsection (2) of that section (which precludes subsection (1) of that section from applying to offences committed before the commencement of that Act) in relation to offences committed before 27th October 1981.

**Marginal Citations**

**M34** 1981 c. 43(81:3).

*References to foot passengers in subordinate legislation*

- 19 For the purposes of the application of any provisions of the <sup>M35</sup>Interpretation Act 1978, or of paragraphs 2 to 5 of this Schedule, in relation to any subordinate legislation made, or having effect as if made, under any enactment consolidated by this Act, “foot passengers” shall be taken to have the same meaning as “pedestrians”; and any reference in any such subordinate legislation to foot passengers or to foot passenger traffic shall be construed accordingly.

**Marginal Citations**

**M35** 1978 c. 30(115:1).

*Statutory statement of facts*

- 20 (1) Sub-paragraph (2) below shall have effect until the coming into operation of paragraph 3 of Schedule 8 to this Act as if that sub-paragraph were contained in Part II of Schedule 8.
- (2) For the purposes of sections 107 to 109 of this Act, a statutory statement of facts is a statement which is in the prescribed form and which either—
- (a) states that the person furnishing it was the driver of the vehicle at the relevant time and is signed by him; or
  - (b) states that that person was not the driver of the vehicle at the relevant time, states the name and address at the time the statement is furnished of the person who was the driver of the vehicle at the relevant time and is signed

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both by the person furnishing it and by the person stated to be the driver of the vehicle at the relevant time.

## SCHEDULE 11

Section 144.

### PROVISIONS OF THIS ACT AND INSTRUMENTS REFERRED TO IN SECTION 144(2)

<i>Provisions of Act</i>	<i>Instruments</i>
1. Sections 99 to 102 and 103(3).	The Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967 (S.I. 1967/1900).
2. Schedule 6.	The Motor Vehicles (Variation of Speed Limits) Regulations 1984 (S.I. 1984/325).

## SCHEDULE 12

Section 145.

### TEMPORARY PROVISIONS AS TO FIXED PENALTIES

#### *Introductory*

- 1 In this Schedule (which is a re-enactment of section 80 of the <sup>M36</sup>Road Traffic Regulation Act 1967 and associated provisions) “the interim period” means the period beginning with the date on which the Schedule comes into operation and ending with such date as the Secretary of State may by order made by statutory instrument appoint, as being the date on which the repeal of section 80 by the <sup>M37</sup>Transport Act 1982 would have been brought into operation, had section 80 not already been repealed by this Act.

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

**C30** Power of appointment conferred by Sch. 12 para. 1 fully exercised: [S.I. 1986/1329](#), 1875

#### **Marginal Citations**

**M36** 1967 c. 76(107:1).

**M37** 1982 c. 49(107:1)

#### *Application of Schedule*

- 2 (1) This Schedule shall extend only to such areas as may be specified by an order made by the Secretary of State; and an order made by him may exclude the application of this Schedule to any offence.

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- (2) Subject to sub-paragraph (1) above, this Schedule applies to any offence created by or under an enactment which is punishable on summary conviction and is an offence committed in respect of a vehicle—
- (a) by its being on a road during the hours of darkness [<sup>F62</sup>(that is, the time between half-an-hour after sunset and half-an-hour before sunrise)] without the lights or reflectors required by law, or
  - (b) by its obstructing a road, or waiting, or being left or parked, or being loaded or unloaded, in a road, or
  - (c) by the non-payment of the charge made at a street parking place, or
  - (d) by its being used in contravention of any provision of an order made, or having effect as if made, under section 1, section 6 or section 9, or of regulations made or having effect as if made under section 12, of this Act, which is a provision—
    - (i) as to the route to be followed by vehicles of the class to which that vehicle belongs, or
    - (ii) as to roads or parts of carriageways which are not to be used for traffic by such vehicles, or
    - (iii) as to the places where such vehicles may not turn so as to face in the opposite direction to that in which they were proceeding or as to the conditions under which such vehicles may so turn, or
  - (e) by any such use of the vehicle in contravention of [<sup>F63</sup>section 42(1) of the Road Traffic Act 1988] (which relates to contravention of construction and use regulations) as may be specified by an order made by the Secretary of State, not being a use which constitutes an offence involving discretionary disqualification within the meaning of [<sup>F63</sup>the Road Traffic Offenders Act 1988], or
  - (f) by its being used or kept on a public road (within the meaning of the <sup>M38</sup>Vehicles (Excise) Act 1971) without a licence under that Act being exhibited on the vehicle in the manner prescribed under that Act.
- (3) The power of the Secretary of State to make orders under this paragraph shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### Textual Amendments

**F62** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(11)(a)**

**F63** Words substituted by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 25(11)(b)**

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

**C31** Power to amend definition of "hours of darkness" in para. 2(2)(a) conferred by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 5, **Sch. 4 para. 3(2)**

#### Marginal Citations

**M38** 1971 c. 10(107:2).

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*Notice to pay fixed penalty*

- 3
- (1) Where at any time within the interim period a constable finds a person on any occasion and has reason to believe that on that occasion he is committing or has committed an offence to which this Schedule applies, he may give him the prescribed notice in writing, offering the opportunity of the discharge of any liability to conviction of that offence by payment of a fixed penalty under this Schedule; and no person shall then be liable to be convicted of that offence if the fixed penalty is paid in accordance with this Schedule before the end of the period of 21 days following the date of the notice, or such longer period (if any) as may be specified in the notice, or before the date on which proceedings are begun, whichever event last occurs.
  - (2) Where a person is given a notice under this paragraph in respect of an offence, proceedings shall not be taken against any person for that offence by any constable or local authority until the end of 21 days following the date of the notice or such longer period (if any) as may be specified in the notice.
  - (3) A notice under this paragraph shall give such particulars of the circumstances alleged to constitute the offence as are necessary for giving reasonable information of those circumstances, and shall state also the period during which, by virtue of sub-paragraph (2) above, proceedings will not be taken for the offence, the amount of the fixed penalty, and the justices' clerk to whom, and the address at which, the fixed penalty may be paid.
  - (4) Where at any time within the interim period a constable finds a vehicle on any occasion and has reason to believe that on that occasion there is being or has been committed in respect of it an offence to which this Schedule applies, he may proceed under this paragraph as if he had found a person reasonably believed by him to be committing the offence; and for that purpose a notice affixed to the vehicle shall be deemed to be given to the person liable for that offence.
  - (5) A notice affixed to a vehicle under sub-paragraph (4) above shall not be removed or interfered with except by or under the authority of the driver or the person in charge of the vehicle or the person liable for the offence in question; and any person who contravenes this sub-paragraph shall be guilty of an offence.
  - (6) In so far as an order made, or having effect as if made, under section 95(5) of this Act authorises the employment of traffic wardens for the purposes of this paragraph, references in this paragraph to a constable shall include a traffic warden.
  - (7) In the application of this paragraph to Scotland, any reference to a justices' clerk shall be construed as a reference to a clerk of court; in sub-paragraph (1) above, for the words from "before the end of the period" to the end of the sub-paragraph, there shall be substituted the words "before the date on which proceedings are begun"; and in sub-paragraph (2) the words "by any constable or local authority" shall be omitted.
  - (8) In this paragraph "proceedings" means any criminal proceedings in respect of the act or omission constituting the offence specified in a notice under this paragraph, and "convicted" shall be construed accordingly.



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*Amount and payment of fixed penalty, and supplementary provisions*

- 4 (1) Subject to sub-paragraph (2) below, the fixed penalty for an offence to which this Schedule applies shall be £10, or one half the maximum amount of the fine to which a person is liable on summary conviction of the offence, whichever is the less.
- (2) The Secretary of State may by order provide for the fixed penalty to be in any case more or less than £10, but not more in the case of any offence than one-half the maximum amount of the fine to which a person is liable on summary conviction of that offence.
- (3) Payment of a fixed penalty under this Schedule shall be made to such justices' clerk as may be specified in the notice under paragraph 3 of this Schedule relating to that penalty; and sums paid by way of fixed penalty for an offence shall be treated for the purpose of section 61 of the Justices of the <sup>M39</sup>Peace Act 1979 (application of fines and fees) as if they were fines imposed on summary conviction for that offence.
- (4) In any proceedings a certificate that payment of a fixed penalty was or was not made, by a date specified in the certificate, to the justices' clerk specified in a notice under paragraph 3 of this Schedule relating to that penalty shall, if this certificate purports to be signed by the justices' clerk, be sufficient evidence of the facts stated, unless the contrary is proved.
- (5) Where, in England or Wales, a justices' clerk for a petty sessions area comprised in the area of one responsible authority (within the meaning of section 59 of the Justices of the Peace Act 1979) discharges functions in connection with a fixed penalty under this Schedule for an offence alleged to have been committed in a petty sessions area comprised in the area of another such authority—
- (a) that other authority shall make to the first-mentioned authority such payment in connection with the discharge of those functions as may be agreed between them or, in default of such agreement, as may be determined by the Secretary of State; and
  - (b) any such payment between responsible authorities shall be taken into account in determining for the purpose of subsection (4) of section 59 of that Act the net cost to those authorities respectively of the functions referred to in subsection (1) of that section.
- (6) The Secretary of State may by regulations make provision as to any matter incidental to the operation of paragraphs 2 and 3 of this Schedule or this paragraph, and in particular—
- (a) for prescribing the form of notice under paragraph 3 above and
  - (b) for prescribing the duties of justices, clerks and the information to be supplied to them.
- (7) In the application of this paragraph to Scotland—
- (a) any reference to a justices' clerk shall be construed as a reference to a clerk of court;
  - (b) in sub-paragraph (3), for the words from "section 61" to "fines and fees)", there shall be substituted the words "determining their destination"; and
  - (c) sub-paragraphs (5) and (6)(b) shall not apply.
- (8) In this paragraph "justices' clerk" has the same meaning as in section 61 of the Justices of the <sup>M40</sup>Peace Act 1979.

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#### **Marginal Citations**

**M39** 1979 c. 55(82).

**M40** 1979 c. 55.(82).

#### *Liability of vehicle owner in respect of fixed penalty*

- 5 (1) This paragraph applies where—
- (a) a notice under paragraph 3 of this Schedule has been given under sub-paragraph (1), or affixed to a vehicle under sub-paragraph (4), of that paragraph;
  - (b) the notice relates to an offence committed in respect of a stationary vehicle and falling within any of paragraphs (a) to (c) or within paragraph (f) of paragraph 2(2) of this Schedule (other than the offence, mentioned in paragraph 2(2)(b) above, of obstructing a road), and
  - (c) the fixed penalty has not been paid within the period of 21 days mentioned in paragraph 3(1) of this Schedule or, if it is longer, the period fixed for payment by the notice.
- (2) Subject to the following provisions of this paragraph—
- (a) for the purposes of the institution of proceedings in respect of the alleged offence against any person as being the owner of the vehicle at the relevant time, and
  - (b) in any proceedings in respect of the alleged offence brought against any person as being the owner of the vehicle at the relevant time,
- it shall be conclusively presumed (notwithstanding that the person may not be an individual) that he was the driver of the vehicle at that time and, accordingly, that acts or omissions of the driver of the vehicle at that time were his acts or omissions.
- (3) Sub-paragraph (2) above shall not apply in relation to any person unless, within the period of 6 months beginning on the day on which the notice under paragraph 3 of this Schedule was given or affixed as mentioned in sub-paragraph (1)(a) above, a notice under sub-paragraph (6) below has been served on him by or on behalf of the chief officer of police.
- (4) If the person on whom a notice under sub-paragraph (6) below is served in accordance with sub-paragraph (3) above was not the owner of the vehicle at the relevant time, sub-paragraph (2) above shall not apply in relation to him if he furnishes a statutory statement of ownership under this Schedule to that effect in compliance with the notice.
- (5) The presumption in sub-paragraph (2) above shall not apply in any proceedings brought against any person as being the owner of the vehicle at the relevant time if, in those proceedings, it is proved—
- (a) that at the relevant time the vehicle was in the possession of some other person without the consent of the accused, or
  - (b) that the accused was not the owner of the vehicle at the relevant time and that he has a reasonable excuse for failing to comply with the notice under sub-paragraph (6) below served on him in accordance with sub-paragraph (3) above.

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- (6) A notice under this sub-paragraph shall be in the prescribed form, shall give particulars of the alleged offence and of the fixed penalty concerned, and shall provide that, unless the fixed penalty is paid before the expiry of the appropriate period, the person on whom the notice is served—
- (a) is required, before the expiry of that period, to furnish to the chief officer of police by or on behalf of whom the notice was served a statutory statement of ownership under this Schedule (as defined by paragraph 9 below), and
  - (b) is invited, before the expiry of that period, to furnish to that chief officer of police a statutory statement of facts under this Schedule (as defined by that paragraph).

*Effect of notice under paragraph 5(6)*

- 6
- (1) The provisions of sub-paragraphs (2) to (5) below shall have effect where a notice has been served on any person (in this paragraph referred to as the “recipient”) under paragraph 5(6) of this Schedule.
  - (2) If the fixed penalty specified in the notice is not paid within the appropriate period, and the recipient fails without reasonable excuse to comply with the notice by furnishing a statutory statement of ownership under this Schedule, he shall be guilty of an offence.
  - (3) If in compliance with or in response to the notice, any person furnishes a statement which is false in a material particular, and does so recklessly or knowing it to be false in that particular, he shall be guilty of an offence.
  - (4) If the fixed penalty is paid by any person before the date on which proceedings are begun against the recipient for an offence under sub-paragraph (2) above in respect of a failure to comply with the notice, the payment of the penalty shall discharge any liability of the recipient for that offence.
  - (5) Without prejudice to paragraph 3(1) of this Schedule—
    - (a) conviction of any person of the offence specified in the notice shall discharge both the liability of any other person (under this Schedule or any other enactment) for that offence and the liability of any person for an offence under sub-paragraph (2) above in respect of a failure to comply with the notice; and
    - (b) conviction of the recipient of an offence under sub-paragraph (2) above in respect of a failure to comply with the notice shall discharge the liability of any person for the offence specified in the notice.
  - (6) Except as provided by sub-paragraphs (4) and (5) above, nothing in paragraph 5 of this Schedule or this paragraph shall affect the liability of any person for an offence specified in a notice under sub-paragraph (6) of that paragraph.

*Hired vehicles*

- 7
- (1) This paragraph shall apply where—
    - (a) a notice under paragraph 5(6) of this Schedule has been served on a vehicle-hire firm, and

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- (b) at the relevant time the vehicle in respect of which the notice was served was let to another person by the vehicle-hire firm under a hiring agreement to which this paragraph applies.
- (2) Where this paragraph applies, it shall be a sufficient compliance with the notice served on the vehicle-hire firm if the firm furnishes to the chief officer of police by or on behalf of whom the notice was served a statement in the prescribed form, signed by or on behalf of the vehicle-hire firm, stating that at the relevant time the vehicle concerned was hired under a hiring agreement to which this paragraph applies, together with—
- (a) a copy of that hiring agreement, and
  - (b) a copy of a statement of liability under this Schedule in the prescribed form, signed by the hirer under that hiring agreement;
- and accordingly, in relation to the vehicle-hire firm on whom the notice is served, the reference in paragraph 6(2) above to a statutory statement of ownership under this Schedule shall be construed as a reference to a statement under this sub-paragraph together with the copies specified in this sub-paragraph.
- (3) If, in a case where this paragraph applies, the vehicle-hire firm has complied with the notice served on the firm by furnishing the statement and copies of the documents specified in sub-paragraph (2) above, then paragraphs 5 and 6 of this Schedule shall have effect as if in those paragraphs—
- (a) any reference to the owner of the vehicle were a reference to the hirer under the hiring agreement, and
  - (b) any reference to a statutory statement of ownership under this Schedule were a reference to a statutory statement of hiring under this Schedule (as defined by paragraph 9 below).
- (4) Where, in compliance with a notice under paragraph 5(6) of this Schedule, a vehicle-hire firm has furnished copies of a hiring agreement and statement of liability under this Schedule as mentioned in sub-paragraph (2) above, a person authorised in that behalf by the chief officer of police to whom the documents are furnished may, at any reasonable time within 6 months after service of that notice, and on production of his authority, require the production by the firm of the originals of those documents; and if, without reasonable excuse, a vehicle-hire firm fails to produce the original of a document when required to do so under this sub-paragraph, the firm shall be treated as not having complied with the notice under paragraph 5(6) of this Schedule.
- (5) This paragraph applies to a hiring agreement under the terms of which the vehicle concerned is let to the hirer for a fixed period of less than 6 months (whether or not that period is capable of extension by agreement between the parties or otherwise)X; and any reference in this paragraph to the currency of the hiring agreement includes a reference to any period during which, with the consent of the vehicle-hire firm, the hirer continues in possession of the vehicle as hirer, after the expiry of the fixed period specified in the agreement, but otherwise on terms and conditions specified in it.
- (6) Any reference to a statement of liability under this Schedule is a reference to a statement made by the hirer under a hiring agreement to which this paragraph applies to the effect that the hirer acknowledges that he will be liable, as owner of the vehicle, in respect of any offence which may be committed during the currency of the agreement and is an offence committed in respect of a stationary vehicle and falling within any of paragraphs (a) to (c) or within paragraph (f) of paragraph 2(2)

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of this Schedule (other than the offence, mentioned in paragraph 2(2)(b) above, of obstructing a road).

*Time for bringing, and evidence in, proceedings for offences under this Schedule*

- 8 (1) Proceedings in England or Wales for an offence under paragraph 6(3) of this Schedule may be brought within a period of 6 months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge; but no such proceedings shall be brought by virtue of this paragraph more than 3 years after the commission of the offence.
- (2) Proceedings in Scotland for an offence under paragraph 6(3) of this Schedule shall not be commenced after the expiry of the period of 3 years from the commission of the offence; but, subject to the foregoing limitation, and notwithstanding anything in section 331 of the <sup>M41</sup>Criminal Procedure (Scotland) Act 1975, any such proceedings may be commenced at any time within 6 months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings came to his knowledge or, where such evidence was reported to him by a local authority, within 6 months after the date on which it came to their knowledge; and subsection (3) of the said section 331 shall apply for the purposes of this sub-paragraph as it applies for the purposes of that section.
- (3) For the purposes of sub-paragraphs (1) and (2) above, a certificate signed by or on behalf of the prosecutor or, as the case may be, the Lord Advocate or the local authority, and stating the date on which evidence such as is mentioned in the sub-paragraph in question came to his or their knowledge, shall be conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.
- (4) Where any person is charged with an offence committed in respect of a stationary vehicle and falling within any of paragraphs (a) to (c) or within paragraph (f) of paragraph 2(2) of this Schedule (other than the offence mentioned in paragraph 2(2) (b) above, of obstructing a road), and the prosecutor produces to the court any of the statutory statements mentioned in paragraph 9 of this Schedule or a copy of a statement of liability under this Schedule purporting—
- (a) to have been furnished in compliance with or in response to a notice under paragraph 5(6) of this schedule, and
  - (b) to have been signed by the accused,
- the statement shall be presumed, unless the contrary is proved, to have been signed by the accused and shall be evidence (and, in Scotland, sufficient evidence) in the proceedings of any facts stated in it tending to show that the accused was the owner, the hirer or the driver of the vehicle concerned at a particular time.

**Marginal Citations**

M41 1975 c. 21(39:1).

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*Statutory statements under this Schedule*

- 9 (1) A statutory statement of ownership under this Schedule is a statement in the prescribed form, signed by the person furnishing it and stating—
- (a) whether he was the owner of the vehicle at the relevant time; and
  - (b) if he was not the owner of the vehicle at the relevant time, whether he ceased to be the owner before, or became the owner after, the relevant time, and, if the information is in his possession, the name and address of the person to whom, and the date on which, he disposed of the vehicle or, as the case may be, the name and address of the person from whom, and the date on which, he acquired it.
- (2) A statutory statement of hiring under this Schedule is a statement in the prescribed form signed by the person furnishing it, being the person by whom a statement of liability under this Schedule was signed, and stating—
- (a) whether at the relevant time the vehicle was let to him under the hiring agreement to which the statement of liability refers; and
  - (b) if it was not, the date on which he returned the vehicle to the possession of the vehicle-hire firm concerned.
- (3) A statutory statement of facts under this Schedule is a statement which is in the prescribed form and which—
- (a) states that the person furnishing it was the driver of the vehicle at the relevant time and is signed by him; or
  - (b) states that that person was not the driver of the vehicle at the relevant time, states the name and address of the person who was the driver of the vehicle at the relevant time and is signed both by the person furnishing it and by the person stated to be the driver of the vehicle at the relevant time.

*Service of notices*

- 10 (1) A notice under paragraph 5(6) of this Schedule may be served on any person—
- (a) by delivering it to him or by leaving it at his proper address, or
  - (b) by sending it to him by post;
- and, where the person on whom such a notice is to be served is a body corporate, it shall be duly served if it is served on the secretary or clerk of that body.
- (2) For the purposes of sub-paragraph (1) above and of section 7 of the <sup>M42</sup>Interpretation Act 1978 (references to service by post) in its application to that sub-paragraph the proper address of any person on whom such a notice is to be served—
- (a) shall, in the case of the secretary or clerk of a body corporate, be that of the registered or principal office of that body or the registered address of the person who is the registered keeper of the vehicle concerned at the time of service, and
  - (b) shall in any other case be the last known address of the person to be served.
- (3) For the purposes of sections 1(2) and 2(1) of the <sup>M43</sup>Magistrates' Courts Act 1980 (power to issue summons or warrant and jurisdiction to try offences) any offence under paragraph 6(2) of this Schedule shall be treated as committed at any address

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which at the time of service of the notice under paragraph 5(6) of this Schedule to which the offence relates was the accused’s proper address (in accordance with sub-paragraph (2) above) for service of any such notice, as well as at the address to which any statutory statement furnished in response to that notice is required to be returned in accordance with the notice.

**Marginal Citations**

**M42** 1978 c. 30(115:1).

**M43** 1980 c. 43(82).

*Interpretation*

11 (1) In this Schedule—

“appropriate period”, in relation to a notice under paragraph 5(6) of this Schedule, means the period of 14 days from the date on which the notice is served, or such longer period as may be allowed by the chief officer of police by or on behalf of whom the notice is served;

“driver”, in relation to the alleged offence referred to in paragraph 5(1) of this Schedule, means the person by whom, assuming the alleged offence to have been committed, it was committed;

“the interim period” has the meaning assigned to it by paragraph 1 of this Schedule;

“relevant time”, in relation to the alleged offence referred to in paragraph 5(1) of this Schedule, means the time at which the offence is alleged to have been committed.

- (2) For the purposes of this Schedule the owner of a vehicle shall be taken to be the person by whom the vehicle is kept; and for the purpose of determining, in the course of any proceedings brought by virtue of this Schedule, who was the owner of the vehicle at any time, it shall be presumed that the owner was the person who was the registered keeper of the vehicle at that time.
- (3) Notwithstanding the presumption in sub-paragraph (2) above it shall be open to the defence in any proceedings to prove that the person who was the registered keeper of a vehicle at a particular time was not the person by whom the vehicle was kept at that time, and it shall be open to the prosecution to prove that the vehicle was kept by some other person at that time.
- (4) References in this Schedule to the person who was or is the registered keeper of a vehicle at any time are references to the person in whose name the vehicle was or is at that time registered under the <sup>M44</sup>Vehicles (Excise) Act 1971; and, in relation to any such person, the reference in paragraph 10(2)(a) above to that person’s registered address is a reference to the address recorded in the record kept under that Act with respect to that vehicle as being that person’s address.

**Marginal Citations**

**M44** 1971 c. 10(107:2).

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### *Transitional provisions*

- 12 For the purposes of the provisions of the <sup>M45</sup>Interpretation Act 1978 in their application to this Act, and for the purposes of paragraphs 1 to 6 of Schedule 10 to this Act—
- (a) paragraphs 1 to 11 of this Schedule shall be taken to be enactments by which enactments repealed by this Act are re-enacted (with or without modification), and
  - (b) those paragraphs shall be taken to be provisions corresponding to enactments so repealed,
- notwithstanding that the operation of those paragraphs of this Schedule is limited by reference to the interim period.

#### **Marginal Citations**

**M45** 1978 c. 30(115:1).

## SCHEDULE 13

Section 146.

### CONSEQUENTIAL AMENDMENTS

#### *THE ROAD TRAFFIC ACT 1960 (c. 16)*

- 1 In section 253(11), for “section 78 of the Road Traffic Regulation Act 1967” substitute “section 86 of the Road Traffic Regulation Act 1984”.

#### *THE LONDON GOVERNMENT ACT 1963 (c. 33)*

- 2 In section 18(1A), for “section 12 of the Road Traffic Regulation Act 1967” substitute “section 14 of the Road Traffic Regulation Act 1984”; for “the said section 12” substitute “the said section 14”; and after “1960” insert “or in section 12 of the Road Traffic Regulation Act 1967”.

#### *THE COUNTRYSIDE (SCOTLAND) ACT 1967 (c. 86)*

- 3 In section 51—
- (a) in subsection (1), for the words from “local authorities” to “1967” substitute “local highway authorities in Scotland by section 32 of the Road Traffic Regulation Act 1984”; and
  - (b) in subsection (2), for “sections 28, 29, 31, 32, 52, 53 and 96 of the said Act of 1967” substitute “sections 32, 33, 35, 41, 101 and 102 of the Road Traffic Regulation Act 1984”.

#### *THE LONDON CAB ACT 1968 (c. 7)*

- 4 In section 3(2), for “1967” substitute “1984”.



*Status:* Point in time view as at 25/02/1991.

*Changes to legislation:* Road Traffic Regulation Act 1984 is up to date with all changes known to be in force on or before 26 June 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)

*THE COUNTRYSIDE ACT 1968 (c. 41)*

5 In paragraph 9(5) of Schedule 3, for “1967” substitute “1984”.

*THE TRANSPORT ACT 1968 (c. 73)*

- 6 In section 69(4)(g)—
- (a) in sub-paragraph (i), for the words from “11” to the end of the sub-paragraph substitute “12 of the Road Traffic Regulation Act 1984 (including any such order made by virtue of paragraph 3 of Schedule 9 to that Act) or under any enactment repealed by that Act and re-enacted by any of those sections (including any such order made by virtue of section 84A(2) of the Road Traffic Regulation Act 1967);”;
  - (b) in sub-paragraph (ii), for the words from “subsection” to the end of the sub-paragraph substitute “section 2(4) of the Road Traffic Regulation Act 1984 (lorry routes) or section 1(3AA) of the Road Traffic Regulation Act 1967”.
- 7 In section 117(5), for the words from “12” to the end of the subsection substitute “or 14 of the Road Traffic Regulation Act 1984 ”.

F648 .....

**Textual Amendments**

**F64** Para. 8 repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), s. 71(3), [Sch. 7](#)

9 In section 42, the reference to any of the provisions of the Transport (London) Act 1969 shall be construed as including a reference to any provision of this Act which repeals and re-enacts (with or without modification) any provision of the said Act of 1969.

*THE CHRONICALLY SICK AND DISABLED PERSONS ACT 1970 (c. 44)*

- 10 In section 20(1)(b), for “1967” substitute “ 1984 ”.
- 11 In section 21—
- (a) in subsection (1), for the words from “section 84C” to “Transport Act 1968)” substitute “ Part III of Schedule 9 to the Road Traffic Regulation Act 1984 ”;
  - (b) in subsection (7)(c), after “before” insert “ the time when ” and after “or” insert “ at that time ”; and
  - (c) in subsection (8), for “1967” substitute “ 1984 ”.

*THE PENSIONS (INCREASE) ACT 1971 (c. 56)*

12 In paragraph 51(b) of Schedule 2, after “1967” insert “ or section 95(1) of the Road Traffic Regulation Act 1984 ”.

F6513–28 .....

*Status: Point in time view as at 25/02/1991.*

*Changes to legislation: Road Traffic Regulation Act 1984 is up to date with all changes known to be in force on or before 26 June 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)*

**Textual Amendments**

**F65** Sch. 13 paras. 13–28 repealed by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), ss. 3, 5, Sch. 1 Pt. I, [Sch. 4 paras. 1–3](#)

*THE LAND COMPENSATION ACT 1973 (c. 26)*

- 29 In section 20—
  - (a) in subsection (6), after “1967” insert “ or section 6 of the Road Traffic Regulation Act 1984 ”; and
  - (b) in subsection (12), for “1967” substitute “ 1984 ”.

*THE CONTROL OF POLLUTION ACT 1974 (c. 40)*

- 30 In section 23—
  - (a) in subsection (2A), for “1967” substitute “ 1984 ”;
  - (b) in subsection (4), for “sections 20, 52 and 53 of the Road Traffic Regulation Act 1967” substitute “ sections 99 to 102 of the Road Traffic Regulation Act 1984 ”; and
  - (c) in subsection (9), for the words from “sections” to the end of subsection substitute “ sections 46(2)(a), 142(1) and 64(1) of the Road Traffic Regulation Act 1984. ”.

*THE ROAD TRAFFIC ACT 1974 (c. 50)*

- 31 In section 17—
  - (a) in subsection (6)(a), for “the 1967 Act” substitute “ the Road Traffic Regulation Act 1984 ”; and
  - (b) in subsection (9), for “section 54 of the 1967 Act” substitute “ section 64 of the Road Traffic Regulation Act 1984 ”.

*THE GREATER LONDON COUNCIL (GENERAL POWERS) ACT 1974 (c. xxiv)*

- 32 In section 15—
  - (a) in subsection (2)(a), for “section 80(1)(b) of the Act of 1967” substitute “ Schedule 12 to the Road Traffic Regulation Act 1984 ”; and
  - (b) in subsection (12)—
    - (i) for “section 71 of the Act of 1967” substitute “ section 81 of the Road Traffic Regulation Act 1984 ”; and
    - (ii) for “section 74 of the Act of 1967” substitute “ section 84 of that Act ”.

**F66**<sup>33</sup> .....

**Textual Amendments**

**F66** Sch. 13 para. 33 repealed by [Airports Act 1986 \(c. 31, SIF 9\)](#), s. 83(5), [Sch. 6 Pt. I](#)

*Status: Point in time view as at 25/02/1991.*

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

- 34 In section 7(3), for “Section 84C(1) to (5) and (6) of the Road Traffic Regulation Act 1967” substitute “ Paragraphs 20 to 23, paragraph 24 (except so much of it as relates to appeals by district councils) and paragraph 25 of Schedule 9 to the Road Traffic Regulation Act 1984 ”, and for “subsections (1) and (5) of that section” substitute “ paragraphs 20(1) and 24(a) and (b) of that Schedule ”.
- 35 In section 44—
- (a) in subsection (1), in the definition of “traffic sign”, for “1967” substitute “ 1984 ”; and
- (b) in subsection (5), for “or 37(2)(c) of this Act” substitute “ of this Act or section 61(2)(c) of the Road Traffic Regulation Act 1984 ”.
- 36 In section 64(2), for “section 54 of the Road Traffic Regulation Act 1967” substitute “ section 64 of the Road Traffic Regulation Act 1984 ”.

*THE CRIMINAL JUSTICE (SCOTLAND) ACT 1980 (c. 62)*

- 37 At the end of Schedule 1 the following entry shall be inserted as follows in columns 1, 2 and 3—

<i>Column1</i>	<i>Column2</i>	<i>Column3</i>
The Road Traffic Regulation Act 1984.	Two police officers who have tested the apparatus.	The accuracy of any particular—(a) speedometer fitted to a police vehicle;(b) odometer fitted to a police vehicle;(c) radar meter; or(d) apparatus for measuring speed, time or distance, identified in the certificate by reference to its number or otherwise.

*THE LOCAL GOVERNMENT, PLANNING AND LAND ACT 1980 (c. 65)*

- 38 In Schedule 7—
- (a) in paragraph 14(3) and (4), for “1967” substitute “ 1984 ”; and
- (b) in paragraph 14(4), for “section 104(1)” substitute “ section 142 ”.

*THE HIGHWAYS ACT 1980 (c. 66)*

- 39 In section 7(2), for “section 12 of the Road Traffic Regulation Act 1967” substitute “sections 14 and 16 of the Road Traffic Regulation Act 1984”.
- 40 In section 42(2)(c), for “section 71 of the Road Traffic Regulation Act 1967” substitute “section 81 of the Road Traffic Regulation Act 1984”, and for “section 74” substitute “section 84”.

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- 41 In section 60(1), for “section 12 of the Road Traffic Regulation Act 1967” substitute “ section 14 of the Road Traffic Regulation Act 1984 ”.
- 42 In section 90F(2), for “1967” substitute “ 1984 ”.
- 43 In section 115(6)—
- (a) for “Section 31 of the Road Traffic Regulation Act 1967” substitute “ Section 35 of the Road Traffic Regulation Act 1984 ”;
  - (b) for “section 28” substitute “ section 32 ”;
  - (c) for “sections 84A, 84B, 84C, 84D and 85 of” substitute “ section 112 of and Parts I, II, III and IV of Schedule 9 to ”;
  - (d) for “the said section 31”, wherever it occurs, substitute “ the said section 35 ”;
  - (e) in paragraph (b), for “section 84D” substitute “ Part IV of Schedule 9 ”; and
  - (f) in paragraph (c), for “section 85(2)” substitute “ section 112(2) ”.
- 44 In section 115A(2), for “1967” substitute “ 1984 ”.
- 45 In section 265(10), for “21 and 75 of the Road Traffic Regulations Act 1967” substitute “ 23 and 85 of the Road Traffic Regulation Act 1984 ”.
- 46 In section 285(3), for “1967” substitute “ 1984 ”, and for “section 84A(2) or (4) of” substitute “ paragraph 3 or paragraph 7 of Schedule 9 to ”.
- 47 In section 329(1), in the definition of “traffic sign”, for “section 54 of the Road Traffic Regulation Act 1967” substitute “ section 64 of the Road Traffic Regulation Act 1984 ”.
- F<sup>67</sup>48, 49. ....

#### Textual Amendments

F<sup>67</sup> Sch. 13 paras. 48 and 49 repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), [Sch. 8](#)

- F<sup>68</sup>50, 51. ....

#### Textual Amendments

F<sup>68</sup> Sch. 13 paras. 50, 51, 54–56 repealed by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), ss. 3, 5, [Sch. 1 Pt. I, Sch. 4 paras. 1–3](#)

- 52 In Schedule 10, in Part II, in paragraph 9(1), for “1967” substitute “ 1984 ”.

#### *THE WILDLIFE AND COUNTRYSIDE ACT 1981 (c. 69)*

- 53 In section 54, for “1967” substitute “ 1984 ”.

- F<sup>69</sup>54–56 .....

#### Textual Amendments

F<sup>69</sup> Sch. 13 paras. 50, 51, 54–56 repealed by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), ss. 3, 5, [Sch. 1 Pt. I, Sch. 4 paras. 1–3](#)

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*THE LEVEL CROSSINGS ACT 1983 (c. 16)*

57 In section 1(11), in the definition of “traffic sign”, for “1967” substitute “ 1984 ”.

SCHEDULE 14

Section 146.

REPEALS

<b>Chapter</b>	<b>Short title</b>	<b>Extent of repeal</b>
1967 c. 76.	The Road Traffic Regulation Act 1967.	The whole Act except sections 109 and 113 and Schedule 6.
1967 c. 77.	The Police (Scotland) Act 1967.	In Schedule 4, the entry relating to the Road Traffic Regulation Act 1967.
1968 c. 41.	The Countryside Act 1968.	In section 27, in subsection (6), the words from “and in section 63 ” onwards. Section 32.
1968 c. 59.	The Hovercraft Act 1968.	In the Schedule, in paragraph 4, sub-paragraph (d).
1968 c. 73.	The Transport Act 1968.	Sections 126 to 132. Section 149. Schedule 14.
1968 c. xxxvii.	The City of London (Various Powers) Act 1968.	Section 8.
1969 c. 27.	The Vehicle and Driving Licences Act 1969.	In section 16, subsection (6).
1969 c. 35.	The Transport (London) Act 1969.	Sections 32 to 36. Schedule 5.
1970 c. 20.	The Roads (Scotland) Act 1970.	In Schedule 1, paragraph 12.
1970 c. 29.	The Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970.	Section 3.
1971 c. 62.	The Tribunals and Inquiries Act 1971.	In Schedule 3, the entry relating to the Transport (London) Act 1969.
1971 c. 78.	The Town and Country Planning Act 1971.	In Part II of Schedule 23, the entry relating to Schedule 5 to the Transport (London) Act 1969.
1972 c. 11.	The Superannuation Act 1972.	In Schedule 6, paragraph 69.

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1972 c. 20.	The Road Traffic Act 1972.	In section 203, subsection (2). In Schedule 4, in Part III, paragraphs 4 to 8. In Schedule 7, the entry relating to the Road Traffic Regulation Act 1967.
1972 c. 70.	The Local Government Act 1972.	In Schedule 19, Part II.
1973 c. 44.	The Heavy Commercial Vehicles (Controls and Regulations) Act 1973.	Section 1.
1973 c. 65.	The Local Government (Scotland) Act 1973.	In Schedule 14, paragraphs 59 to 73. In Schedule 25, paragraphs 34 to 38.
1974 c. 7.	The Local Government Act 1974.	In Schedule 6, paragraph 20.
1974 c. 50.	The Road Traffic Act 1974.	Sections 1 to 5. Section 19. In section 21, subsection (1). Section 22(a). Schedule 1. In Schedule 5—(a) Part II; and (b) in Part IV, paragraph 3. In Schedule 6, paragraphs 4 to 9.
1974 c. xxiv.	The Greater London Council (General Powers) Act 1974.	Sections 12 and 13.
1975 c. 21.	The Criminal Procedure (Scotland) Act 1975.	In Schedules 7C and 7D, the entries relating to the Road Traffic Regulation Act 1967.
1976 c. 3.	The Road Traffic (Drivers' Ages and Hours of Work) Act 1976.	In Schedule 1, paragraph 16.
1976 c. 57.	The Local Government (Miscellaneous Provisions) Act 1976.	Section 37.
1976 c. xxvi.	The Greater London Council (General Powers) Act 1976.	Section 4. Schedule.
1977 c. 45.	The Criminal Law Act 1977.	In Schedules 6 and 12, the entry relating to the Road Traffic Regulation Act 1967.
1978 c. 55.	The Transport Act 1978.	Sections 11 and 12.
1980 c. 34.	The Transport Act 1980.	In Schedule 5, in Part II, the entry relating to the Road Traffic Regulation Act 1967.

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1980 c. 62.	The Criminal Justice (Scotland) Act 1980.	Section 31. In Schedule 1 the entry relating to the Road Traffic Regulation Act 1967.
1980 c. 65.	The Local Government, Planning and Land Act 1980.	In Schedule 7, in Part II, paragraphs 9 to 13.
1980 c. 66.	The Highways Act 1980.	In section 340, in subsection (2), paragraph (a). In Schedule 24, paragraph 16.
1981 c. 14.	The Public Passenger Vehicles Act 1981.	In Schedule 7, paragraphs 4 to 8.
1981 c. 43.	The Disabled Persons Act 1981.	Section 2.
1981 c. 56.	The Transport Act 1981.	In section 24, in subsection (1), the words “and in section 103(1) of the Road Traffic Regulation Act 1967”.
1981 c. 67.	The Acquisition of Land Act 1981.	In paragraph 1 of Schedule 4, the entry relating to the Road Traffic Regulation Act 1967.
1981 c. 69.	The Wildlife and Countryside Act 1981.	Section 60.
1981 c. xvii.	The Greater London Council (General Powers) Act 1981.	Section 7.
1982 c. 48.	The Criminal Justice Act 1982.	In Schedule 3, the entries relating to the Road Traffic Regulation Act 1967.
1982 c. 49.	The Transport Act 1982.	Sections 53 to 55. Section 56(1), (3) and (4). Sections 61 and 62. In section 64(2) —(a) paragraph (a); and (b) the words “in the former case as subsections (4) and (5) and in the latter case”. Section 69. Section 72(b). In section 73 —(a) in subsection (1), the words “subject to subsection (2) below, ”; (b) subsection (2); (c) subsection (3)(b); and (d) in subsection (4), the words “or an order to which section 55(6) of this Act applies”. In section 76 —(a) in subsection (2), the words “Subject to subsection (3) below”;

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and(b) subsection 3.In  
Schedule 2, the entry  
relating to the Road Traffic  
Regulation Act 1967.In  
Schedule 5, paragraphs 1 to  
4, 18 and 19.

*TABLE OF DERIVATIONS*Note: The following abbreviations are used in this Table:—

1967	= The Road Traffic Regulation Act 1967 (c. 76).
1967 (c. 77)	= The Police (Scotland) Act 1967.
S.I. 1967/1900	= The Removal and Disposal of Vehicles (Alteration of Enactments) Order 1967.
1968	= The Transport Act 1968 (c. 73).
1968 (c. 41)	= The Countryside Act 1968.
1968 (c. 59)	= The Hovercraft Act 1968.
1968 (c. xxxvii)	= The City of London (Various Powers) Act 1968.
1969	= The Transport (London) Act 1969 (c. 35).
1969 (c. 27)	= The Vehicle and Driving Licences Act 1969.
1970 (c. 20)	= The Roads (Scotland) Act 1970.
1970 (c. 29)	= The Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970.
1970 (c. 44)	= The Chronically Sick and Disabled Persons Act 1970.
S.I. 1970/1681	= The Secretary of State for the Environment Order 1970.
1971 (c. 10)	= The Vehicles (Excise) Act 1971.
1971 (c. 41)	= The Highways Act 1971.
1971 (c. 62)	= The Tribunals and Inquiries Act 1971.
1971 (c. 78)	= The Town and Country Planning Act 1971.
1972	= The Road Traffic Act 1972 (c. 20).
1972 (c. 11)	= The Superannuation Act 1972.
1972 (c. 70)	= The Local Government Act 1972.
1973 (c. 44)	= The Heavy Commercial Vehicles (Controls and Regulations) Act 1973.
1973 (c. 65)	= The Local Government (Scotland) Act 1973.



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S.I. 1973/747	= The Motor Vehicles (Variation of Speed Limits) Regulations 1973.
S.I. 1973/748	= The Motor Vehicles (Speed Limits on Motorways) Regulations 1973.
1974	= The Road Traffic Act 1974 (c. 50).
1974 (c. 7)	= The Local Government Act 1974.
1974 (c. xxiv)	= The Greater London Council (General Powers) Act 1974.
1975 (c. 21)	= The Criminal Procedure (Scotland) Act 1975.
1975 (c. 78)	= The Airports Authority Act 1975.
1976	= The Local Government (Miscellaneous Provisions) Act 1976 (c. 57).
1976 (c. 3)	= The Road Traffic (Drivers' Ages and Hours of Work) Act 1976.
1976 (c. xxvi)	= The Greater London Council (General Powers) Act 1976.
1977	= The Criminal Law Act 1977 (c. 45).
1978	= The Transport Act 1978 (c. 55).
1978 (c. 3)	= The Refuse Disposal (Amenity) Act 1978.
1980 (c. 34)	= The Transport Act 1980.
1980 (c. 43)	= The Magistrates' Courts Act 1980.
1980 (c. 65)	= The Local Government, Planning and Land Act 1980.
1980 (c. 66)	= The Highways Act 1980.
1981	= The Public Passenger Vehicles Act 1981 (c. 14).
1981 (c. 43)	= The Disabled Persons Act 1981.
1981 (c. 56)	= The Transport Act 1981.
1981 (c. 67)	= The Acquisition of Land Act 1981.
1981 (c. 69)	= The Wildlife and Countryside Act 1981.
1981 (c. xvii)	= The Greater London Council (General Powers) Act 1981.
S.I. 1981/202	= The Motor Vehicles (Variation of Speed Limits) (No. 2) Regulations 1980.
S.I. 1981/1372	= The Motor Vehicles (Variation of Speed Limits and Speed Limits on Motorways) (Metrication) Regulations 1981.
S.I. 1981/1373	= The Road Traffic Acts 1960 and 1972, Road Traffic Regulation Act 1967

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	and Transport Act 1968 (Metrication) Regulations 1981.
S.I. 1981/1374	= The Road Traffic Acts 1960 and 1972 and Road Traffic Regulation Act 1967 (Metrication) (No. 2) Regulations 1981.
1982	= The Transport Act 1982 (c. 49).
1982 (c. 48)	= The Criminal Justice Act 1982.
S.I. 1982/137	= The Fixed Penalty (Increase) Order 1982.
S.I. 1984/325	= The Motor Vehicles (Variation of Speed Limits) Regulations 1984.
R (followed by a number)	= The recommendation set out in the paragraph of that number in the Appendix to the Report of the Law Commission and the Scottish Law Commission on the Act. (Cmnd. 9162).

The Table does not take account of successive transfers of Ministerial functions under the enactments consolidated by the Act.

<b>Provision</b>	<b>Derivation</b>
1(1)	1967 s. 1(1); 1968 s. 126(1), Sch. 14 Pt. VI paras. 1, 2.
(2), (3)	1867 s. 1(2), (2A), (2B); 1980 (c. 65) Sch. 7 para. 9(1).
(4), (5)	1867 s. 1(7).
2(1)	1967 s. 1(3); 1968 Sch. 14 Pt. VI para. 3; 1974 Sch. 6 para. 4.
(2)	1867 s. 1(3); 1968 Sch. 14 Pt. VI para. 3.
(3)	1867 s. 1(3A); 1968 s. 126(2).
(4), (5)	1867 s. 1(3AA), (3AB); 1973 (c. 44) s. 1.
3(1), (2)	1967 s. 1(5), (6); 1968 s. 126(4); 1973 (c. 44) s. 1(2).
(3)	1867 s. 1(4).
(4)	1867 s. 1(3); 1981 s. 39(3).
4	1967 s. 1(3B)–(3D); 1968 Sch. 14 Pt. I.
5(1)	1967 s. 1(8); 1968 s. 126(2).
(2)	1867 s. 1(7).
6(1), (2)	1967 s. 6(1), (2); 1968 s. 126(6), Sch. 14 Pt. VI.
(3)	1867 s. 6(3); 1974 Sch. 6 para. 5.
(4)	1867 s. 6(11).

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(5)	1867 s. 6(1).
(6)	1867 s. 6(12).
7(1)–(4)	1967 s. 6(4)–(7); 1968 s. 126(7).
(5)	1867 s. 6(8); 1981 Sch. 7 para. 4.
(6)	1867 s. 7(2); 1968 Sch. 14 Pt. VI para. 7; S.I. 1970/1681 para. 24.
(7)	1867 s. 6(12); 1981 Sch. 7 para. 4.
8(1)	1967 s. 6(9).
(2)	1867 s. 6(11).
9(1)	1967 s. 9(1); 1968 Sch. 14 Pt. VI; 1974 (c. xxiv) s. 13(1)(a); 1974 Sch. 6 para. 6.
(2)–(4)	1967 s. 9(2)–(3A) (first); 1980 (c. 65) Sch. 7 para. 9.
(5)	1867 s. 9(3A) (second); 1974 (c. xxiv) s. 13(1)(b).
(6)	1867 s. 9(12)(b).
10(1), (2)	1967 s. 9(4), (5); 1974 (c. xxiv) s. 13(1)(c); 1980 (c. 65) Sch. 7 para. 9; R.1.
(3)	1967 s. 9(5); 1974 (c. xxiv) s. 13(1)(c).
(4)	1867 s. 9(8); 1981 Sch. 7 para. 5.
(5)	1867 s. 9(11).
11	1967 s. 9(9).
12(1)–(4)	1967 s. 11(1)–(3); 1968 Sch. 14 Pt. VI para. 11.
(5)–(10)	1867 s. 11(5)–(8).
13	1967 s. 11(4).
14(1)–(7)	1967 s. 12(1)–(5); 1968 s. 126(9).
(8)	1867 s. 12(5A); 1974 (c. xxiv) s. 13(1)(d).
(9)	1867 s. 12(11).
15(1)–(4)	1967 s. 12(6); 1973 (c. 65) Sch. 25 para. 34; 1974 (c. 7) Sch. 6 para. 20(1).
(5)	1967 s. 12(7).
16(1)	1967 s. 12(9); 1968 s. 126(9).
(2)	1867 s. 12(10).
(3), (4)	1867 s. 12(8).
17(1)–(3)	1967 s. 13(1)–(3); 1980 (c. 66) Sch. 24 para. 16.
(4)	1867 s. 13(4).

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(5), (6)	1867 s. 13(5), (6).
18(1), (2)	1967 s. 14(1); 1980 (c. 66) Sch. 24 para. 16.
(3)	1867 s. 14(2).
19(1), (2)	1967 s. 15(1); 1968 s. 128(1), Sch. 14 Pt. VI paras. 12, 13.
(3)	1867 s. 15(8); 1973 (c. 65) Sch. 14 para. 61.
20	1967 s. 16.
21	1967 s. 18; 1972 Sch. 7.
22	1968 (c. 41) s. 32(1)–(4); 1980 (c. 65) Sch. 7 para. 13.
23	1967 s. 21; 1980 (c. 65) Sch. 7 para. 10(1).
24	1967 s. 22.
25	1967 s. 23.
26(1)	1967 s. 24(1); 1974 Sch. 6 para. 7.
(2)–(5)	1867 s. 24(2)–(5); 1973 (c. 65) Sch. 14 para. 64, Sch. 27 para. 1(2).
27(1)	1967 s. 24(6A); 1969 s. 33.
(2)	1867 s. 24(6).
28	1967 s. 25; 1974 Sch. 6 para. 7.
29(1)	1967 s. 26(1), (9); 1968 Sch. 14 Pt. VI para. 15; 1973 (c. 65) Sch. 14 para. 65.
(2)	1967 s. 26(2).
(3)	1867 s. 26(6).
30	1967 s. 26A; 1968 Sch. 14 Pt. II.
31	1967 s. 27; 1968 Sch. 14 Pt. VI para. 17.
32(1)	1967 s. 28(1); 1968 Sch. 14 Pt. VI para. 1.
(2), (3)	1867 s. 28(3), (5).
(4)	1867 s. 28(6); 1973 (c. 65) Sch. 14 para. 66.
33	1967 s. 29; R.3.
34	1967 s. 29A; 1971 (c. 41) s. 9(1).
35(1)	1967 s. 31(1); 1968 Sch. 14 Pt. VI para. 1.
(2)	1867 s. 31(1A) (first); 1971 (c. 41) s. 9(3).
(3)–(5)	1967 s. 31(2), (3).
(6)–(9)	1867 s. 31(4)–(7).
36(1), (2)	1967 s. 28(2), (4).
(3)	1867 s. 28A(1); 1972 (c. 70) Sch. 19 para. 15.

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(4)	
37(1)–(3)	1967 s. 5(1), (2); 1968 Sch. 14 Pt. VI para. 5; 1972 (c. 70) Sch. 19 para. 8(1); 1973 (c. 65) Sch. 14 para. 60.
(4)	1967 s. 5(3); 1968 Sch. 14 Pt. VI para. 6; 1973 (c. 44) s. 1(4).
38(1)	1967 s. 33(1); 1968 s. 128(3), Sch. 14 Pt. VI para. 18.
(2)–(4)	1867 s. 33(2), (3); 1968 s. 128(5); R.4.
(5), (6)	1867 s. 33(8), (9).
(7)	1967 s. 33(5); 1968 Sch. 14 Pt. VI para. 20; 1981 Sch. 7 para. 6; R.4.
39(1)	1967 s. 28(6A); s. 28A(1)(b); 1972 (c. 70) Sch. 19 paras. 14, 15.
(2)	1867 s. 28(7).
(3)–(8)	1867 ss. 28A(2)–(7), 31(1A) (second); 1972 (c. 70) Sch. 19 para. 15.
40	1967 s. 30; 1971 (c. 41) s. 9(2); 1981 (c. 67) Sch. 4 para. 1.
41	1967 s. 32(5), (6); 1971 (c. 41) s. 9(4).
42	1967 s. 34(1).
43	1969 ss. 36, 45(1); 1975 (c. 78) s. 25(8).
44	1978 s. 11.
45(1)	1967 s. 35(1); 1968 Sch. 14 Pt. IV para. 1
(2)	1867 s. 35(1A); 1968 s. 127(1).
(3), (4)	1967 s. 35(2), (3); 1968 Sch. 14 Pt. IV para. 3.
(5)	1967 s. 35(9).
(6)	1967 s. 35(7); 1968 Sch. 14 Pt. IV para. 5.
(7)	1967 s. 35(4); 1972 (c. 70) Sch. 19 para. 17; 1973 (c. 65) Sch. 14 para. 67.
46(1), (2)	1967 s. 36(1), (2); 1968 s. 127(2), Sch. 14 Pt. IV paras. 6–8.
(3)	1867 s. 37(5); 1973 (c. 65) Sch. 25 para. 37; 1974 (c. 7) Sch. 6 para. 20(4).
(4)	1967 s. 36(6); 1968 s. 127(3).
47(1), (2)	1967 s. 42(1), (2); 1968 s. 127(4); R.5.
(3)–(6)	1867 s. 42(4)–(7).

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(7)	1867 s. 42(8); 1968 Sch. 14 Pt. VI para. 22(a).
48(1)	1967 s. 42(3).
(2)	1867 s. 42(4A); 1968 s. 127(5).
49(1)–(3)	1967 s. 37(1), (2), (2A); 1972 (c. 70) Sch. 19 para. 20.
(4), (5)	1867 s. 37(3), (4); 1968 Sch. 14 Pt. IV para. 9.
(6)	1867 s. 40(2).
50(1)–(3)	1967 s. 35(5); 1968 Sch. 14 Pt. IV para. 5.
(4)	1867 s. 35(5A); 1969 s. 35.
(5)	
(6)	1867 s. 35(6); 1968 Sch. 14 Pt. IV para. 5.
51(1)–(3)	1981 (c. xvii) s. 7(1), (2).
(4)–(6)	1881 (c. xvii) s. 7(5), (6).
52(1)	1981 (c. xvii) s. 7(4).
(2), (3)	1881 (c. xvii) s. 7(3).
53(1)–(3)	1967 s. 39(1), (2); 1968 Sch. 14 Pt. IV para. 11.
(4)–(6)	1867 s. 43(1)–(3).
(7)	1867 s. 43(4); 1972 (c. 70) Sch. 19 para. 21.
54(1)–(8)	1967 s. 35A; 1972 (c. 70) Sch. 19 para. 18; R.6.
(9)	1867 s. 36(3); 1972 (c. 70) Sch. 19 para. 19.
55(1)	1967 s. 44(1).
(2)–(4)	1967 s. 44(2), (3); 1968 s. 127(6); 1980 (c. 66) Sch. 24 para. 16(d).
(5)	1967 s. 44(3A); 1968 s. 127(7); 1970 (c. 20) Sch. 1 para. 12.
(6)	1967 ss. 35(5)(c), 35A(8); 1968 Sch. 14 Pt. IV para. 5; 1972 (c. 70) Sch. 19 para. 18.
(7)	1967 s. 44(5); 1968 Sch. 14 Pt. VI para. 23.
56	1967 s. 45(1); 1968 Sch. 14 Pt. VI para. 24.
57(1)	1967 ss. 46(1), 49A(1); 1972 (c. 70) s. 179(4), Sch. 19 para. 22.
(2)–(9)	1967 ss. 46(1)–(7), 49A(4); 1972 (c. 70) s. 179(4).
58	1967 s. 47; 1972 (c. 70) s. 179(4).

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59	1967 s. 49A(2)–(8); 1972 (c. 70) s. 179(4), Sch. 19 para. 22.
60(1), (2)	1967 s. 48(1), (3); 1972 (c. 70) s. 179(4).
(3)	1867 s. 48(2).
(4)	1867 s. 50; 1980 (c. 66) Sch. 24 para. 16(e); R.7.
61(1)–(5)	1976 s. 37(1)–(5).
(6)	1876 s. 37(8).
(7), (8)	1876 s. 44; R.8.
62	1967 s. 51.
63	1978 s. 12.
64	1967 s. 54; 1972 Sch. 7.
65	1967 s. 55(1)–(3).
66	1967 s. 57; 1972 Sch. 7.
67(1), (2)	1967 s. 58(1), (2); 1972 Sch. 7.
(3)	1867 s. 59.
68	1967 s. 56A(1)–(3); 1968 Sch. 14 Pt. III.
69	1967 s. 61(1), (2).
70	1967 s. 62; 1968 s. 129(4).
71(1)	1967 s. 63; 1968 s. 129(4).
(2)	1868 (c. 41) ss. 27(6), (7), 49(2); 1980 (c. 66) Sch. 24 para. 17(b).
(3)	1868 (c. 41) s. 50(5).
72	1970 (c. 29) s. 3; 1972 (c. 70) s. 179(4).
73(1), (2)	1967 s. 56(1), (3); 1968 s. 129(2); 1969 s. 34(3).
(3)	1867 s. 56(4); 1969 s. 34(4).
(4)	1967 s. 55(4); 1969 s. 34(2).
(5)	1869 s. 34(9).
74(1)–(6), (8), (9)	1967 (c. xxvi) s. 4(1)–(6), (8).
(7)	1968 (c. xxxvii) s. 8; 1971 (c. 78) Sch. 24 para. 4.
75	1967 s. 60.
76	1967 s. 64.
77	1967 s. 65(1); 1972 Sch. 7.

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78(1)	1867 s. 65(2); 1972 (c. 70) Sch. 19 para. 24; 1973 (c. 65) Sch. 14 para. 69.
(2)	1967 s. 68(1)–(3).
79(1)–(4)	1867 s. 68(4); 1968 s. 129(5).
(5)	1967 s. 67; 1968 Sch. 14 Pt. VI para. 27.
80	1967 s. 71.
81	1967 s. 72(1), (3), (5).
82	1967 s. 73(1)–(3); 1968 Sch. 14 Pt. VI para. 1.
83(1), (2)	1867 s. 56A(1); 1968 Sch. 14 Pt. III.
(3)	1967 s. 74(1), (2), (7); 1968 Sch. 14 Pt. VI para. 1.
84(1)–(4)	1867 s. 56A(1); 1968 Sch. 14 Pt. III.
(5)	1967 s. 75(1)–(5).
85(1)–(5)	1867 s. 13(3A); 1968 s. 129(1).
(6)	1867 s. 75(6).
(7)	1967 s. 78(1), (4).
86(1)	1867 s. 78(2)–(6); R.9.
(2)–(6)	1967 s. 79.
87	1967 s. 77(1)–(3), (5); 1968 s. 126(11)(a).
88(1)–(5)	1867 s. 77(9).
(6)	1867 s. 77(7).
(7)	1867 s. 77(6).
(8)	1967 s. 78A; 1972 s. 203(2); 1977 Sch. 12; R.10.
89	1967 s. 78B; 1982 s. 62.
90	1967 s. 76(2); 1972 (c. 70) Sch. 19 para. 27; 1973 (c. 65) Sch. 14 para. 71(a).
91	1967 s. 69(1); 1968 s. 129(6); 1972 (c. 70) Sch. 19 para. 26(1); 1973 (c. 65) Sch. 14 para. 70(a).
92(1)	1967 s. 69(1A); 1968 s. 129(7).
(2), (3)	1967 s. 69(2), (3); 1972 (c. 70) Sch. 19 para. 26(1); 1973 (c. 65) Sch. 14 para. 70(a).
(4)	1967 s. 69(7).
(5)	1867 s. 69(8).
(6)	1967 s. 69(2).
93(1)	1867 s. 69(4).



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(2)	1867 s. 69(5)–(8).
(3)–(6)	1967 s. 70(1).
94(1)	1967 s. 70(1A); 1968 s. 129(8).
(2)	1967 s. 70(2).
(3)	1967 s. 70(3).
(4)	1967 s. 70(5).
(5)	1967 s. 70(4).
(6)	1967 s. 81(1); 1968 s. 131(4).
95(1)	1967 s. 81(12); 1967 (c. 77) Sch. 4.
(2)	1967 s. 81(2), (3); 1968 s. 131(5).
(3)–(5)	1967 s. 81(5), (6).
(6), (7)	1967 s. 81(4A), (4B); 1968 s. 131(6); 1972 Sch. 7.
96	1967 s. 81(9); 1972 (c. 11) Sch. 6 para. 69.
97(1)	1967 s. 81(8).
(2)	1967 s. 81(10), (11).
(3), (4)	1967 s. 81(7).
(5)	
98	1967 s. 20(1); S.I. 1967/1900 art. 2, Sch. 1.
99(1)	1967 s. 20(7)(a)–(c); S.I. 1967/1900 art. 2, Sch. 1.
(2)	1967 s. 20(2), (3); S.I. 1967/1900 art. 2, Sch. 1.
(3), (4)	1967 s. 20(8); S.I. 1967/1900 art. 2, Sch. 1; 1972 (c. 70) Sch. 19 para. 10(2); 1973 (c. 65) Sch. 14 para. 62.
(5)	1967 s. 20(4); S.I. 1967/1900 art. 2, Sch. 1; R.11.
100(1)	1967 s. 20(4A); 1972 (c. 70) Sch. 19 para. 10(1); R.11.
(2)	1967 s. 20(5), (6); S.I. 1967/1900 art. 2, Sch. 1.
(3), (4)	1967 s. 20(8); S.I. 1967/1900 art. 2, Sch. 1; 1972 (c. 70) Sch. 19 para. 10(2); 1973 (c. 65) Sch. 14 para. 62.
(5)	1967 s. 53(1); S.I. 1967/1900 art. 2, Sch. 1.
101(1)–(3)	1967 s. 53(3), (4); S.I. 1967/1900 art. 2, Sch. 1.
(4)–(6)	1967 s. 53(2); S.I. 1967/1900 art. 2, Sch. 1.

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(7)	1967 s. 53(5); S.I. 1967/1900 art. 2, Sch. 1.
(8)	1967 s. 52(1), (2), (7); S.I. 1967/1900 art. 2, Sch. 1.
102(1)–(3)	1967 s. 52(2A); 1974 s. 19.
(4)	1967 s. 52(2); S.I. 1967/1900 art. 2, Sch. 1; 1978 (c. 3) s. 12(4).
(5)	1967 s. 52(4), (5); S.I. 1967/1900 art. 2, Sch. 1; 1972 (c. 70) Sch. 19 para. 23.
(6), (7)	1967 s. 52(3); S.I. 1967/1900 art. 2, Sch. 1; 1978 (c. 3) s. 12(4).
(8)	1976 s. 37(7).
103(1)	1976 s. 37(1)(c).
(2)	1967 ss. 20(7)(d), 52(6), 53(6); S.I. 1967/1900 art. 2, Sch. 1.
(3)	1982 s. 53(1)–(9).
104(1)–(9)	1982 s. 73(2).
(10)	1982 s. 53(10).
(11)	1982 s. 73(5)(a).
(12)	1982 s. 54(1)–(6), (8).
105	1982 s. 55.
106(1)–(8)	1982 s. 73(1), (4).
(9)	1982 s. 73(3).
(10)	1974 s. 2(1)–(5).
107	1974 s. 2(6)–(9).
108	1974 s. 3.
109	1974 s. 4.
110	1974 s. 5; 1982 Sch. 5 para. 18.
111	1967 s. 85(1).
112(1)	1967 s. 85(2); 1968 s. 127(8); 1969 (c. 27) s. 16(6).
(2)	1967 s. 85(2); 1976 ss. 37(6), 44(1).
(3)	1967 s. 85(3).
(4)	
(5)	1967 s. 89; 1972 Sch. 7.
113	1967 s. 90.
114	1967 s. 86(1); 1968 s. 127(9).
115(1)	1967 s. 86(3); 1968 s. 127(10).

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(2)	1967 s. 91.
(3)	1967 s. 86(4), (5); 1968 s. 127(10).
116	1967 s. 86A; 1981 (c. 43) s. 2.
117	1967 s. 87; 1968 Sch. 14 Pt. VI para. 30.
118	1967 s. 88; R.12.
119	1982 s. 69.
120	1967 s. 94(2).
121	1967 s. 84(1); 1968 s. 130(4); R.13.
122(1)	1967 s. 84(1); 1968 s. 130(3), (4); 1973 (c. 44) s. 1(5).
(2)	1974 (c. xxiv) s. 12.
123(1),	
(3)–(9)	1967 s. 84(4).
(2)	1974 (c. xxiv) s. 2.
(10)	1967 ss. 84A–84D; 1968 Sch. 14 Pt. V.
124(1)(a)–(d)	1967 ss. 15(4), 33(1A); 1968 Sch. 14 Pt. VI para. 19.
(e)	1967 ss. 41, 84E; 1968 Sch. 14 Pt. V.
(f)	1967 ss. 12(12), 84D(5); 1968 Sch. 14 Pt. V.
(2)	1967 s. 82; 1968 s. 129(9), Sch. 14 Pt. VI para. 28; 1972 (c. 70) Sch 19 para. 28.
125	1967 s. 83.
126	1981 (c. 69) ss. 60, 66(1), (2).
127	1967 s. 95; R.14.
128	1967 s. 96.
129(1)–(3)	1967 s. 84(3); 1968 Sch. 14 Pt. VI para. 29; 1972 (c. 70) s. 272(2).
(4)	1967 s. 97; 1968 s. 126(12); 1982 ss. 64, 72(b).
130	1968 s. 149.
131	1968 (c. 41) s. 32(1), (5)–(8), (10).
132	1967 ss. 98, 104(1).
133	1967 s. 107.
134	1967 s. 108A; 1968 s. 132; R.15.
135(1)	
(2)	1967 s. 99(1)–(8); S.I. 1981/1373 Sch. Pt. II; S.I. 1981/1374 Sch.

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136	1967 s. 99(1).
137(1)	1967 s. 99(9)–(11).
(2)–(5)	1967 s. 104(1A)–(1G); 1982 s. 56(1), (3), (4).
138	1967 s. 101; 1968 (c. 59) Sch. para. 4.
139	1967 s. 103; 1972 Sch. 7; 1981 (c. 56) s. 24(1).
140	1967 s. 106.
141(1)–(4)	1967 s. 104(1).
(5)	1967 ss. 20(8), 52(3), 53(5), 102, 104(1); 1969 s. 34(5); 1973 (c. 65) Sch. 14 para. 72; 1974 s. 5(1); 1980 (c. 34) Sch. 5 Pt. II; 1980 (c. 43) Sch. 8 para. 5; 1980 (c. 66) Sch. 24 para. 16(h); 1981 Sch. 7 para. 7; 1981 (c. 43) s. 2(c); R.16, 17.
142(1)	1967 s. 102.
(2)	1967 s. 104(2); 1976 (c. 3) Sch. 1 para. 16.
(3)	1967 s. 112.
143	
144	
145(1)	1982 s. 76(2).
(2)	1982 s. 76(4).
(3)	1982 s. 73(1).
(4)	
(5)	
146	
147	1967 Sch. 1.
Sch. 1	1967 Sch. 2
Sch. 2	1967 Sch. 3; 1968 s. 126 (9).
Sch. 3	1969 Sch. 5; 1971 (c. 62) Sch. 3; 1971 (c. 78) Sch. 23 Pt. II; 1972 (c. 70) s. 272(2).
Sch. 4	1976 (c. xxvi) Sch.; R.18.
Sch. 5	1967 Sch. 5; S.I. 1984/325.
Sch. 6	1967 ss. 1(8), 6(9), 11(4), 13(4), 14(2), 16(5), 25(2), 26(6), 26A(5), 31(3), (3A), (5), 42(1), (1A), (4), 43(2), (3), 77(7), 78A(1), 80(8), 85(3), 86(2), (3), (4), 86A(3), 87, 96(2); 1968 s. 127(10), Sch. 14 Pt. II; 1969 s. 36(5), (10), (12); 1972 s. 203(2), Sch. 4 Pt. III paras. 4–8; 1974 ss. 1(7), (8), 2(7), (8), Sch. 5 Pt. II; 1975 (c. 21) ss. 289B, D–H, Schs, 7C, 7D;

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	1976 s. 37(5); 1977 Sch. 6; 1980 (c. 43) s. 33(2), (9); 1981 (c. 43) s. 2; 1981 (c. xvii) s. 7(4); 1982 (c. 48) ss. 35, 37, 38, 53, 54, 56, Schs. 3, 6; 1982 ss. 53(5), (6), 54(7).
Sch. 7	1974 s. 5, Sch. 1; 1982 Sch. 5 para. 19.
Sch. 8	1967 s. 84A; 1968 Sch. 14 Pt. V; 1972 (c. 70) Sch. 19 para. 29; 1973 (c. 44) s. 1(6).
Sch. 9	1967 s. 84B; 1968 Sch. 14 Pt. V; 1980 (c. 65) Sch. 7 para. 12; 1980 (c. 66) Sch. 24 para. 16(g).
Pt. I	1967 s. 84C; 1968 Sch. 14 Pt. V; 1972 (c. 70) Sch. 19 para. 30(1), (2); 1974 (c. xxiv) s. 13(2); 1976 s. 37(4); R.8.
Pt. II	1967 s. 84D; 1968 Sch. 14 Pt. V; 1972 (c. 70) Sch. 19 para. 31.
Pt. III	1967 ss. 15(4), 33(1A); 1968 Sch. 14 Pt. VI paras. 13, 19; 1981 Sch. 7 para. 6.
Pt. IV	1967 ss. 41, 84E; 1968 Sch. 14 Pt. V, Pt. VI para. 21.
Pt. V	R.19.
Pt. VI	
Sch. 10	1967 ss. 80, 81(4); 1968 s. 131(1)(b), (2), (3); 1971 (c. 10) Sch. 7 Pt. II para. 11; 1972 Sch. 7; 1974 ss. 1, 3, 4, 5, Schs. 1, 6; 1977 Sch. 12; 1979 (c. 55) Sch. 2 para. 15; 1982 Sch. 5 para. 18; S.I. 1982/137.
Sch. 13	
Sch. 11	
Sch. 14	
Sch. 12	

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