

Status: Point in time view as at 14/08/2002.

Changes to legislation: Transport Act 1985, Paragraph 25 is up to date with all changes known to be in force on or before 10 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 6

TRANSITIONAL PROVISIONS AND SAVINGS

The Transport Tribunal

- 25 (1) The repeals made by this Act which relate to the Transport Tribunal shall not affect any judgment or order given, any document issued or any other thing done under any repealed enactment before the date on which the repeals take effect; and any such judgment or order, document or thing shall have effect as if it had been given, issued or (as the case may be) done under the provision of this Act corresponding to the repealed enactment.
- (2) Any reference in any instrument or other document to such an enactment shall be taken as regards anything done after that date as a reference to the corresponding provision of this Act.
- (3) Without prejudice to the generality of sub-paragraph (1) above, any rules made by the Transport Tribunal under paragraph 11 of Schedule 10 to the 1962 Act which are in operation immediately before Schedule 4 to this Act comes into force shall have effect as if they had been made by the Secretary of State under paragraph 11 of Schedule 4.
- (4) Sub-paragraph (1) above does not apply in relation to any appointment made under Schedule 10 to the 1962 Act.
- (5) Paragraphs 3 and 4(1) of Schedule 10 to the 1962 Act (appointment of members of the tribunal and tenure of office of the president) shall continue to apply in relation to the person who, at the time when section 117 of this Act comes into force, is the president of the Transport Tribunal, notwithstanding their repeal by this Act; and Schedule 4 to this Act shall have effect, so far as relates to the appointment and tenure of office of the president of the tribunal, subject to the provisions of this sub-paragraph.
- (6) Any person who, immediately before section 117 of this Act comes into force, is a member of the special panel mentioned in subsection (3)(a) of that section, shall be treated as if he had been appointed by the Lord Chancellor, on the coming into force of that section, as a chairman of the Transport Tribunal under paragraph 2(1)(a) of Schedule 4 to this Act.
- (7) Sub-paragraph (6) above applies in relation to any such person whether or not he would be qualified for such appointment in accordance with paragraph 2(2) of that Schedule; and, subject to paragraphs 3 and 6 of that Schedule, the terms and conditions applicable to any such person's tenure of office as such a chairman shall be the same as those applicable to his office immediately before section 117 of this Act comes into force.

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- (8) Any person other than the president of the Transport Tribunal who is a member of the tribunal at the time when that section comes into force shall be treated as if he had been appointed as such a member by the Secretary of State under paragraph 2(1)(b) of Schedule 4 to this Act for a term ending when his current term of office expires, and otherwise on the same terms and conditions as those applicable to his office immediately before that section comes into force.
- (9) Rules made by the Secretary of State under paragraph 11 of Schedule 4 to this Act may include provision for applying those rules to proceedings pending before the tribunal at the time when those rules come into force with any modifications which appear to the Secretary of State to be necessary or desirable.

Modifications etc. (not altering text)

C1 [Sch. 6 para. 25\(9\)](#) excluded by [S.I. 1986/1450, art. 3\(1\)](#)

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