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SCHEDULES

SCHEDULE SUBSTITUTED FOR SCHEDULE 2 TO THE 1981 ACT

“SCHEDULE 2

TRAFFIC COMMISSIONERS

Terms of service of traffic commissioners

- 1 The Secretary of State may remove a traffic commissioner from his office for inability or misbehaviour.
- 2 If a traffic commissioner acquires a financial interest in a transport undertaking which carries passengers or goods by road within Great Britain he shall, within four weeks after so doing, give notice of that acquisition in writing to the Secretary of State specifying the interest so acquired and the Secretary of State, after taking the matter into consideration, may if he thinks fit declare that the traffic commissioner has vacated his office.

Appointment and terms of office of deputies to traffic commissioners

- 3 In the case of illness, incapacity or absence of a traffic commissioner, the Secretary of State may appoint some other person to act as his deputy.
- 4 If the Secretary of State considers that the duties to be performed by a traffic commissioner, or any deputy appointed under paragraph 3 above to the traffic commissioner, cannot conveniently or efficiently be performed by one person, the Secretary of State may appoint one or more persons to act as deputy to the traffic commissioner.
- 5 A person appointed under paragraph 4 above shall be appointed upon such terms and conditions, including conditions as to the time which he is to devote to the duties of his office, as the Secretary of State may determine, and shall act for the traffic commissioner whose deputy he is in such matters as the traffic commissioner, or any deputy appointed by reason of the traffic commissioner's illness, incapacity or absence, may from time to time direct or as the Secretary of State may from time to time by general directions require, and for that purpose shall exercise and perform all the powers and duties of the traffic commissioner.
- 6 (1) Where the office of traffic commissioner for any traffic area becomes vacant the Secretary of State may, pending the appointment of a new traffic commissioner for that area under section 4 of this Act, appoint a person (whether or not over the age of sixty-five) under this paragraph to act as traffic commissioner for that area for a limited period.
(2) Any person appointed under sub-paragraph (1) above shall—
 - (a) hold office for such period as the Secretary of State specifies when making the appointment; and

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- (b) during that period be treated for all purposes (except those of paragraph 9 below) as the traffic commissioner for the traffic area in question.

Staff of traffic commissioners

- 7 Subject to the approval of the Treasury, the Secretary of State may appoint such persons to act as officers and servants of a traffic commissioner as he considers appropriate.

Remuneration and pensions

- 8 There shall be paid to a traffic commissioner and deputy traffic commissioner, and to the persons acting as officers or servants of a traffic commissioner, such remuneration and allowances as may be determined by the Secretary of State with the consent of the Treasury.
- 9 The principal civil service pension scheme (within the meaning of section 2 of the Superannuation Act 1972) which is for the time being in force shall apply to persons holding the office of traffic commissioner for each of the traffic areas.”

PART II

FURTHER CONSEQUENTIAL AMENDMENTS

The ^{M1}Transport Act 1968

Marginal Citations

M1 1968 c. 73.

- 1 (1) The Transport Act 1968 shall be amended as follows.
- (2) In section 96(10)(b), there shall be substituted for the words “commissioners or licensing authority” the word “commissioner” and for the words “commissioners or authority think” the words “commissioner thinks”.
- (3) In section 98(3), there shall be substituted for the words “commissioners or licensing authority” in both places the word “commissioner” and for the words “commissioners or authority think” the words “commissioner thinks”.
- (4) In section 99, there shall be substituted for the words “commissioners or licensing authority” in subsections (1) and (8) the word “commissioner”.
- (5) In section 103(5), for the words “commissioners or licensing authority” there shall be substituted the word “commissioner”.

The ^{M2}Tribunals and Inquiries Act 1971

Marginal Citations

M2 1971 c. 62.

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F1²

Textual Amendments

F1 Sch. 2 Pt. II para. 2 repealed (1.10.1992) by Tribunals and Inquiries Act 1992 (c. 53), ss. 18(2), 19(2), Sch. 4 Pt. I

3 F2

Textual Amendments

F2 Sch. 2 Pt. II para. 3 repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 3, Sch. 1 Part I (with Sch. 4 paras. 1–3)

The ^{M3}Public Passenger Vehicles Act 1981

Marginal Citations

M3 1981 c. 14.

- 4 (1) The Public Passenger Vehicles Act 1981 shall be amended as follows.
- (2) In section 3(3), for the word “commissioners”, whenever occurring, there shall be substituted the word “commissioner”.
- F3(3)
- (4) In section 12, there shall be substituted—
- (a) for the word “commissioners”, whenever occurring, the word “commissioner”;
 - (b) in subsection (3), for the words “different areas” the words “a different area”;
 - and
 - (c) in subsection (4), for the word “they” the word “he”.
- (5) In section 14 (grant of licences)—
- (a) for the word “commissioners”, whenever occurring, there shall be substituted the word “commissioner”;
 - (b) in subsections (1) and (3), for the word “are” in each place (other than where it first occurs in subsection (3)) there shall be substituted the word “is”;
 - (c) in subsection (4), there shall be substituted for the word “determine” the word “determines” and for the word “they” the word “he”.
- F4(6)
- (7) In section 16, there shall be substituted—
- (a) in subsection (1), for the words “Traffic commissioners” the words “A traffic commissioner” and for the words “those commissioners” the words “that commissioner”;
 - (b) in subsection (3), for the words “Traffic commissioners” the words “A traffic commissioner” and for the word “them” the word “him” and for the words “they think” the words “he thinks”;

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- (c) in subsection (5), for the word “commissioners” the word “commissioner” and for the words “they think” the words “he thinks”;
- (d) in subsection (6) for the word “commissioners” in both places the word “commissioner”, for the word “their” in both places the word “his” and for the word “they” the word “he”;
- (e) in subsection (8), for the word “commissioners” the word “commissioner” and for the words “they are” the words “he is”; and
- (f) in subsection (9), for the word “commissioners” in both places the word “commissioner”.

(8) In section 17, there shall be substituted—

- (a) in subsection (1), for the word “commissioners” the word “commissioner” and for the word “them” the word “him”;
- (b) in subsection (2), for the word “commissioners” where it first occurs the word “commissioner” and for the words “the commissioners direct” the words “he directs”;
- (c) in subsection (4), for the words “Traffic commissioners” the words “A traffic commissioner” and for the word “them” the word “him”; and
- (d) in subsection (5), for the words “traffic commissioners decide” the words “a traffic commissioner decides” and for the words “they” and “them” the words “he” and “him”.

^{F4}(9)

(10) In section 19, there shall be substituted—

- (a) in subsections (1), (2) and (3), for the word “commissioners” the word “commissioner”; and
- (b) in subsection (4) for the words “Traffic commissioners” the words “A traffic commissioner”, for the word “them” in each place the word “him” and for the word “his” the words “the holder’s”.

(11) In section 20, there shall be substituted—

- (a) in subsection (3), for the word “commissioners” where first occurring the word “commissioner”, for the words “those commissioners” in both places the words “that commissioner”, for the word “them” in each place the word “him”, for the word “they” in both places the word “he”, for the word “him”, in both places in paragraph (a), the words “the holder” and for the word “him”, in paragraph (b), the words “the holder or former holder”; and

(^{F3} in subsection (6), for the word “commissioners” the word “commissioner”.]

(12) In section 21, there shall be substituted—

- (a) for the word “commissioners”, whenever occurring, the word “commissioner”;
- (b) in subsection (2), for the words “they” and “their” the words “he” and “his”; and
- (c) in subsection (3), for the words “they are satisfied they” the words “he is satisfied he” and for the word “them” the words “the commissioner”.

(13) ^{F5}

(14) In section 52, there shall be substituted—

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- (a) in subsection (1), for the word “commissioners” whenever occurring the word “commissioner”;
 - (b) in subsection (2), for the words “The traffic commissioners” the words “A traffic commissioner”; and
 - (c) in subsection (3), for the words “the traffic commissioner” the words “a traffic commissioner”.
- (15) In section 55, for the word “commissioners” there shall be substituted the word “commissioner” and for the word “their” there shall be substituted the word “his”.
- (16) In section 56, in subsection (1), there shall be substituted for the word “commissioners” the word “commissioner” and there shall be omitted the words “them or”.
- (17) In section 57, for the word “commissioners”, whenever occurring, there shall be substituted the word “commissioner.”
- (18) In section 60(1), for the words “the commissioners” there shall be substituted the words “traffic commissioners”.
- (19) In section 69(1), for the words “the traffic commissioners” there shall be substituted the words “a traffic commissioner”.
- (20) In section 82 (interpretation), the following definition shall be inserted at the appropriate place—
- “‘traffic commissioner’ means the person appointed to be the commissioner for a traffic area constituted for the purposes of this Act;”
- (21) In Schedule 3 there shall be substituted—
- (a) in paragraph 1, for the words “traffic commissioners” in both places the words “a traffic commissioner” and for the word “commissioners”, in both places, the word “commissioner”; and
 - (b) in paragraphs 5 and 9, for the word “commissioners” whenever occurring the word “commissioner”.

Textual Amendments

- F3** Sch. 2 Pt. II para. 4(3) repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, Sch. 8; S.I. 1992/1286, art. 2, Sch., Appendix.
- F4** Sch. 2 para. 4(6)(9) repealed (1.1.1996) by 1994 c. 40, ss. 81, 82(4), Sch. 17; 1995/2835, art. 2
- F5** Sch. 2 Pt. II para. 4(13) repealed (1.4.1991) by Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22, SIF 107:1), s. 16, Sch. 6

The ^{M4}Civic Government (Scotland) Act 1982

Marginal Citations

- M4** 1982 c. 45.

- 5 In section 18 of the Civic Government (Scotland) Act 1982, there shall be substituted—

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- (a) for the word “commissioners” whenever occurring the word “commissioner”;
- (b) in subsection (2), for the word “them” the word “him”;
- (c) in subsection (3), for the words “they consider” in both places the words “he considers”, for the words “they decided” the words “he decided” and for the words “they should consider” the words “he should consider”;
- (d) in subsection (5), for the words “they alter” the words “he alters”; and
- (e) in subsection (8), for the word “their” in both places the word “his”.

The ^{M5}Road Traffic Regulation Act 1984

Marginal Citations

M5 1984 c. 27

- 6 In section 38(4) and (7) of and paragraph 31(a) of Schedule 9 to the Road Traffic Regulation Act 1984 there shall be substituted for the word “commissioners” in each place the word “commissioner”.

The ^{M6}London Regional Transport Act 1984

Marginal Citations

M6 1984 c. 32.

- 7 In Schedule 5 to the London Regional Transport Act 1984, there shall be substituted—
- (a) in paragraph 11(5), for the word “commissioners”, where it first occurs, the word “commissioner” and for the words “those commissioners” the words “the commissioner”;
 - (b) in paragraph 11(8), for the word “commissioners”, in both places, the word “commissioner”; and
 - (c) in paragraph 12(7), for the word “commissioners” the word “commissioner”.

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