



# Transport Act 1962

## 1962 CHAPTER 46

### PART IV

#### MISCELLANEOUS AND GENERAL

*The Nationalised Transport Advisory Council, the  
Consultative Committees and the Transport Tribunal*

#### **57 The Transport Tribunal**

- (1) The number of members of the Transport Tribunal shall be increased from three to five, and of the members appointed by virtue of this section—
  - (a) one shall be a person of experience in transport business, and
  - (b) one shall be a person of experience in financial matters or economics.
- (2) As from the date on which this section comes into force, the tribunal shall sit in two divisions to be known as the London Fares and Miscellaneous Charges Division and the Road Haulage Appeals Division.
- (3) The London Fares and Miscellaneous Charges Division shall exercise the jurisdiction of the tribunal under—
  - (a) Part III of this Act, and
  - (b) the Post Office Act, 1953, and section twenty-four of the Transport Act, 1953 (which relate to charges for the carriage of mail and of the armed forces and police),and shall consist of the president of the tribunal and two members of the tribunal having respectively the qualifications mentioned in subsection (1) of this section.
- (4) The Road Haulage Appeals Division shall exercise the jurisdiction of the tribunal under Part IV of the Road Traffic Act, 1960 (which relates to road carriers' licences), and shall consist of the president of the tribunal and two members of the tribunal of whom one shall be a person of experience in transport business and the other a person of experience in commercial affairs.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Notwithstanding the last foregoing subsection, for the purpose of any proceedings coming before the tribunal under Part IV of the Road Traffic Act, 1960, the president of the tribunal may, if he thinks fit, appoint one or more persons from a special panel (constituted in accordance with paragraph 6 of the Tenth Schedule to this Act) to hear and determine those proceedings, whether alone or with a member or members of the Road Haulage Appeals Division; and where the president does not himself sit in any such proceedings he shall direct which person is to preside.
- (6) The jurisdiction of the tribunal under any enactment other than those mentioned in the foregoing provisions of this section is hereby abolished.
- (7) Any objection or application which, before the date on which this section comes into force, was referable to the tribunal under the Railway Employment (Prevention of Accidents) Act, 1900 (which relates to safety rules), shall be referred instead to a referee appointed (either generally or for the purpose of a particular case) by the Minister; and the said Act shall have effect with the necessary modifications.  

Any objection or application under the said Act which is pending before the tribunal on that date shall be proceeded with before a referee appointed under this subsection in such manner as the Minister may direct.
- (8) There shall be transferred to the High Court the jurisdiction which before the date on which this section comes into force was vested in the tribunal under subsection (2) of section sixteen of the Railway and Canal Traffic Act, 1888 (which relates to the apportionment of expenses in certain cases), and any proceedings by virtue of that jurisdiction which are pending before the tribunal on that date shall be proceeded with in the High Court in such manner as the court may direct.
- (9) Any local enactment which makes provision corresponding to Part III of the Railways Clauses Act, 1863 (which relates to the approval by the tribunal of working agreements), shall cease to have effect; and where before the date on which this section comes into force any jurisdiction was vested in the tribunal under any other local enactment (except an enactment ceasing to apply by virtue of Part III of this Act) that jurisdiction shall be transferred to the High Court, and any proceedings by virtue of that jurisdiction which are pending before the tribunal on that date shall be proceeded with in the High Court in such manner as the court may direct.
- (10) In the application of the two last foregoing subsections to Scotland, references to the High Court shall be construed as references to the Court of Session.
- (11) The general panel and the transport panel constituted under section twenty-four of the Railways Act, 1921, and the shipping panel constituted under section thirty-nine of the Road and Rail Traffic Act, 1933, are hereby abolished.
- (12) The provisions of the Tenth Schedule to this Act (which reproduce the existing law with minor modifications and the modifications consequent on this section) shall have effect with respect to the constitution, powers and proceedings of the tribunal.