



Road Traffic Act 1960

1960 CHAPTER 16

PART III

PUBLIC SERVICE VEHICLES

Traffic Areas and Traffic Commissioners

119 Traffic areas

- (1) For the purposes of this Part of this Act Great Britain shall be divided into the Metropolitan, Northern, Yorkshire, North-Western, West Midland, East Midland, Eastern, South Wales, Western, South-Eastern and Scottish Traffic Areas.
- (2) The Minister may from time to time by order vary the provisions of this Part of this Act constituting traffic areas, either by altering the limits of an existing traffic area or by increasing or reducing the number of traffic areas or otherwise as he may think fit.
- (3) An order under this section for varying the number or limits of traffic areas may contain such consequential and incidental provisions, including provisions—
 - (a) as to the effect of licences previously issued or backed, and consents previously given, by the traffic commissioners for any traffic area abolished or otherwise affected;
 - (b) as to the effect of applications for licences or consents previously made to any such traffic commissioners, as to the traffic commissioners to whom applications relating to any such area may be made between the date of the order and the date as from which the abolition of, or other change in, the area is to have effect, and as to the traffic commissioners by whom and the places at which any such application as aforesaid may be heard, either before or after the last-mentioned date;
 - (c) as to the continuance of appeals pending against decisions of the traffic commissioners for any traffic area abolished or otherwise affected; and
 - (d) as to the recovery of any sums due, at the date as from which a traffic area is abolished, to the traffic commissioners for that area,

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as appear to the Minister to be necessary or expedient in consequence of the variations of areas to be effected by the order.

- (4) An order under this section may be revoked or altered by a subsequent order of the Minister.
- (5) The power to make orders conferred by this section shall be exercisable by statutory instrument which shall be laid before Parliament after being made, and an order under this section shall not have effect unless and until it has been approved by a resolution of each House of Parliament.

120 Traffic commissioners

- (1) For each traffic area constituted for the purposes of this Part of this Act, other than the Metropolitan Traffic Area, there shall be a body of three commissioners, to be known as traffic commissioners for the area, who shall have the power and be charged with the duty of issuing licences under this Part of this Act and shall exercise such other powers and perform such other duties as are conferred or imposed on them by or in pursuance of this Part of this Act, and subject as aforesaid shall act under the general directions of the Minister.
- (2) For the Metropolitan Traffic Area there shall be a single commissioner, to be known as the traffic commissioner for the area, who shall have such powers and duties (except as regards licences to drive, or act as conductor of, public service vehicles), and act under such general directions, as aforesaid.
- (3) Before the Minister gives any general directions to the traffic commissioner for the Metropolitan Traffic Area or gives to the traffic commissioners for any other traffic area any directions relating specifically to the London Traffic Area, the question of issuing the directions shall be referred to the London and Home Counties Traffic Advisory Committee.
- (4) Except where the context otherwise requires, in this Act " the traffic commissioners " means the traffic commissioners for any traffic area constituted for the purposes of this Part of this Act, and references in this Act or in any other enactment to the traffic commissioners for such a traffic area include, except where the context otherwise requires, references to the traffic commissioner for the Metropolitan Traffic Area.

121 Appointment and terms of service of traffic commissioners outside Metropolitan Traffic Area

- (1) The following provisions of this section shall have effect as respects the appointment and terms of service of the traffic commissioners for each traffic area other than the Metropolitan Traffic Area.
- (2) The commissioners shall be appointed by the Minister.
- (3) Where the Minister proposes to appoint a person to be one of the commissioners he shall, before making the appointment, require the person whom he proposes to appoint to declare if he has any, and if so what, financial interest in any transport undertaking which carries passengers.
- (4) Of the three commissioners—
 - (a) one shall be such person as the Minister thinks fit to appoint to be chairman of the commissioners,

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- (b) one shall be appointed by the Minister from a panel of persons nominated by the councils of the counties whose area, or any part of whose area, is situated in the traffic area, and
- (c) the third shall be appointed by the Minister from a panel of persons nominated by the councils of the boroughs and urban districts whose area, or any part of whose area, is situated in the traffic area.

In the application of this subsection to Scotland for the reference to boroughs there shall be substituted references to large burghs as defined in the Local Government (Scotland) Act, 1929.

- (5) For the purpose of constituting the panels mentioned in the last foregoing subsection, each of the councils concerned shall nominate one person annually as a member of the panel, and a person so nominated shall continue to be a member of the panel for one year from the date of his nomination but shall be eligible for re-nomination from time to time, and provision may be made by regulations as to the dates on which nominations to panels are to be made and as to the filling of casual vacancies.
- (6) The chairman of the commissioners shall hold office during Her Majesty's pleasure, and shall be required to devote the whole of his time to the duties of his office.
- (7) The chairman of the commissioners shall vacate his office on attaining the age of seventy years.
- (8) A commissioner, other than the chairman, shall hold office for such term not exceeding three years as the Minister may determine at the time of his appointment and shall, if at the date on which his term of office expires his name is still included in the panel from which he was appointed, be eligible for reappointment.
- (9) The Minister may remove a commissioner from his office for inability or misbehaviour.
- (10) If a commissioner acquires a financial interest in a transport undertaking which carries passengers he shall, within four weeks after so doing, give notice thereof in writing to the Minister specifying the interest so acquired and the Minister, after taking the matter into consideration, may if he thinks fit declare that the commissioner has vacated his office.

122 Appointment and terms of service of metropolitan traffic commissioner

- (1) The traffic commissioner for the Metropolitan Traffic Area shall be appointed by the Minister and shall hold office during Her Majesty's pleasure.
- (2) Where the Minister proposes to appoint a person to be the traffic commissioner for the Metropolitan Traffic Area he shall, before making the appointment, require the person whom he proposes to appoint to declare if he has any, and if so what, financial interest in any transport undertaking which carries passengers.
- (3) The traffic commissioner for the Metropolitan Traffic Area shall vacate his office on attaining the age of seventy years.
- (4) The Minister may remove the traffic commissioner for the Metropolitan Traffic Area from his office for inability or misbehaviour.
- (5) If the traffic commissioner for the Metropolitan Traffic Area acquires a financial interest in a transport undertaking which carries passengers he shall, within four weeks

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after so doing, give notice thereof in writing to the Minister specifying the interest so acquired and the Minister, after taking the matter into consideration, may if he thinks fit declare that the commissioner has vacated his office.

123 Appointment and terms of service of deputies to chairmen and other traffic commissioners

- (1) In the case of illness, incapacity or absence of a traffic commissioner, the Minister may appoint some other person to act as his deputy, so however that the person appointed to act as deputy for a traffic commissioner appointed from a panel shall be a person whose name is included in that panel.
- (2) If the Minister considers that, owing to the number of applications under this Part of this Act and Part IV thereof, the duties to be performed by the traffic commissioner for the Metropolitan Traffic Area, the chairman of the traffic commissioners for any other traffic area, or any deputy appointed under the foregoing subsection to the said commissioner or any such chairman, cannot conveniently or efficiently be performed by one person, the Minister may appoint a person to act as deputy or, as the case may be, as additional deputy to the said commissioner or chairman.
- (3) A person appointed under the last foregoing subsection 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 Minister may determine, and shall act for the traffic commissioner or chairman of traffic commissioners whose deputy he is in such matters, whether arising under this Part of this Act or Part IV thereof, as the traffic commissioner or chairman, or any deputy appointed by reason of the traffic commissioner's or chairman's illness, incapacity or absence, may from time to time direct or as the Minister 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 or chairman.

124 Traffic commissioners' staff

Subject to the approval of the Treasury, the Minister may appoint such persons to act as officers and servants of the traffic commissioners for any traffic area as he considers requisite for the purpose of enabling them to discharge their duties under this Part of this Act.

125 Remuneration of traffic commissioners, deputies and staff

- (1) There shall be paid to the traffic commissioner for the Metropolitan Traffic Area, to the chairman of the traffic commissioners for any other traffic area, and to the persons acting as officers or servants of the traffic commissioners for any traffic area, such salaries or remuneration as may be determined by the Minister with the consent of the Treasury.
- (2) There shall be paid to any member, other than the chairman, of any body of traffic commissioners, and to any person appointed to act as deputy to the chairman or any other member of any body of traffic commissioners or to the traffic commissioner for the Metropolitan Traffic Area, such remuneration and such allowances, if any, as may be determined as aforesaid.

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126 Pensions of chairmen of traffic commissioners and metropolitan traffic commissioner

The Superannuation Acts, 1834 to 1950, shall apply to persons holding the office of chairman of the traffic commissioners for each of the traffic areas (other than the Metropolitan Traffic Area) or of traffic commissioner for the Metropolitan Traffic Area.