

provides, amongst other things, for marks to be carried on public service vehicles showing the number of seated and standing passengers the vehicles are fit to carry.”

Given under the Official Seal of the Minister of Transport and Civil Aviation this second day of December, 1954.

(L.S.)

*John Boyd-Carpenter,*  
The Minister of Transport  
and Civil Aviation.

EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

The marks to be carried on public service vehicles showing the number of seated and standing passengers respectively who may be carried thereon and the manner in which the marks are to be carried is now prescribed in regulations made under section 9 of the Transport Charges, Etc. (Miscellaneous Provisions) Act, 1954 (which provides for the control of the number of passengers on public service vehicles). These Regulations accordingly amend the Public Service Vehicles (Conditions of Fitness) Regulations, 1941, so as to ensure that public service vehicles are marked in accordance with the regulations made under section 9 of the Transport Charges Etc. (Miscellaneous Provisions) Act, 1954, before a certificate of fitness can be issued under section 68 of the Road Traffic Act, 1930.

1954 No. 1612

**The Public Service Vehicles and Trolley Vehicles (Carrying Capacity) Regulations, 1954**

<i>Made - - - -</i>	<i>2nd December, 1954</i>
<i>Laid before Parliament</i>	<i>6th December, 1954</i>
<i>Coming into Operation</i>	<i>7th December, 1954</i>

The Minister of Transport and Civil Aviation (hereinafter referred to as “the Minister”) in exercise of the powers conferred upon him by section 9 of the Transport Charges &c. (Miscellaneous Provisions) Act, 1954(a), and of all other powers him enabling in that behalf hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the seventh day of December, 1954, and may be cited as “The Public Service Vehicles and Trolley Vehicles (Carrying Capacity) Regulations, 1954”.

(2) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“appropriate officer” means—

(a) in relation to a public service vehicle, a certifying officer appointed under section 69 of the Road Traffic Act, 1930(b),

(a) 2 & 3 Eliz, 2, c. 64.

(b) 20 & 21 Geo. 5. c. 43.

(b) in relation to a trolley vehicle, a person appointed as an inspector of railways under section 3 of the Regulation of Railways Act, 1871(a);

“child” means a person under the age of 19 years;

“contract carriage”, “express carriage” and “stage carriage” have the same meanings as in the Road Traffic Acts, 1930 to 1947(b);

“deck” means a floor or platform upon which seats are provided for the accommodation of passengers;

“double-decked vehicle” means a vehicle having two decks one of which is wholly or partly above the other and each deck of which is provided with a gangway serving seats on that deck only;

“gangway” means the space provided for obtaining access from any entrance to the passengers’ seats or from any such seat to an exit other than an emergency exit but does not include a staircase or any space in front of a seat which is required only for the use of passengers occupying that seat;

“half-decked vehicle” means any vehicle not being a single-decked or double-decked vehicle;

“Licensing Authority” means a Licensing Authority for Public Service Vehicles;

“seating capacity”, except in Regulation 2 of these Regulations, means the seating capacity as ascertained in accordance with the provisions of that Regulation;

“single-decked vehicle” means a vehicle upon which no part of a deck or gangway is vertically above another deck or gangway;

“vehicle” means a public service vehicle or a trolley vehicle.

(3) The Interpretation Act, 1889(c), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. The seating capacity of every vehicle shall be calculated in accordance with the provisions of the Regulations for the time being in operation under section 3 of the Vehicles (Excise) Act, 1949(d), (which prescribes the duty chargeable in respect of hackney carriages) for determining the seating capacity of vehicles for the purposes of that section whether or not the vehicle is a vehicle to which those Regulations apply.

3. The number of seated passengers carried on any vehicle shall not exceed the number for which the vehicle has seating capacity and, except as otherwise provided by these Regulations, no standing passengers may be carried on any vehicle:

Provided that where only children and, if any, not more than six necessary attendants are carried on a vehicle, then in reckoning the number of seated passengers carried on that vehicle for the purposes of this Regulation three children not exceeding 15 years of age may be reckoned as two passengers; and a child who attains the age of 15 years during a school term, or in Scotland during a period between two dates for terminating school attendance prescribed by the Education Authority of the area in which the child resides, shall not for the purpose of this Regulation be deemed to be more than 15 years of age during the continuance of that term or period, as the case may be.

(a) 34 & 35 Vict. c. 78.

(b) See 20 & 21 Geo. 5. c. 43; 24 & 25 Geo. 5. c. 50 and 1 Edw. 8 & 1 Geo. 6. c. 44.

(c) 52 & 53 Vict. c. 63.

(d) 12, 13 & 14 Geo. 6. c. 89.

4. Subject to the provisions of Regulation 7 of these Regulations, during the hours of peak traffic or in circumstances in which undue hardship would be caused to such passengers if they were not so carried, there may be carried on a public service vehicle, when being used as a stage carriage, or on a trolley vehicle, a number of standing passengers not exceeding one-third of the number of passengers for which the vehicle, or in the case of a double-decked vehicle the lower deck, has seating capacity, or eight, whichever number is the less.

5. A Licensing Authority may authorise, within their traffic area, any public service vehicle, when being used as an express carriage, to carry, subject to the provisions of Regulation 7 of these Regulations and to such other conditions as they think fit, on services or in areas specified by them, such number of standing passengers as they may specify not exceeding in any case one-third of the number of passengers for which the vehicle, or in the case of a double-decked vehicle the lower deck, has seating capacity, or eight, whichever number is the less. Any authorisation given under this Regulation may be varied, suspended or revoked by the Licensing Authority at any time.

6.—(1) Subject to the provisions of paragraph (2) of this Regulation, a Licensing Authority may authorise, within their traffic area, any single-decked vehicle (other than a public service vehicle when being used as an express carriage or as a contract carriage) being a vehicle specially constructed or adapted for the purpose, to carry, subject to the provisions of Regulation 7 of these Regulations and to such other conditions as they may think fit, on such services or in such areas as they may specify, the number of standing passengers for which the vehicle has been certified by the appropriate officer as constructed or adapted and fit to carry. Any authorisation or certificate given under this Regulation may be varied, suspended or revoked by the Licensing Authority or by the appropriate officer, as the case may be, at any time.

(2) Where the owner of any vehicle is aggrieved by the refusal of the appropriate officer to issue a certificate under paragraph (1) of this Regulation or by the limitation on the number of standing passengers imposed by a certificate issued by that officer or by the variation, suspension or revocation of a certificate so issued, he may appeal to the Minister and on any such appeal the Minister may make such order as he thinks fit and any such order shall be binding on the appropriate officer.

7.—(1) No standing passengers shall be carried on any vehicle by virtue of Regulations 4, 5 or 6 of these Regulations—

- (a) on a half-decked vehicle ;
- (b) on the upper deck of a double-decked vehicle ;
- (c) if there is any vacant seat in the vehicle ;
- (d) unless a conductor is carried thereon.

Provided that sub-paragraph (d) shall not apply in the case of a single-decked vehicle (not being a vehicle required to carry a conductor under any other statutory provision) if the Licensing Authority have certified that in their opinion a conductor is not required on the particular service upon which, or in the particular circumstances in which, the vehicle is being used.

(2) Nothing in these Regulations shall prejudice the power of the Minister or a Licensing Authority to attach to any approval of a route or any road service licence a condition prohibiting or restricting the carriage of standing passengers.

8.—(1) The seating capacity of every vehicle shall be clearly marked with letters not less than one inch in height inside the vehicle in such a position as to be visible from the outside thereof, or on the outside of the vehicle either at the rear or on the nearside thereof.

(2) Every such marking shall—

(a) in the case of a double-decked vehicle, indicate respectively the seating capacity of the lower and upper deck :

(b) in the case of a single-decked vehicle specially constructed or adapted for the carriage of standing passengers and in respect of which a certificate has been issued under Regulation 6 of these Regulations, indicate respectively the seating and standing capacity of the vehicle ;

(c) in any other case, indicate the seating capacity of the vehicle.

9. Nothing in these Regulations shall apply to a public service vehicle to which the Public Service Vehicles (International Circulation) Regulations 1948(a), applies.

Given under the Official Seal of the Minister of Transport and Civil Aviation this second day of December, 1954.

(L.S.)

*John Boyd-Carpenter,*  
The Minister of Transport  
and Civil Aviation.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

These Regulations make provision for determining the number of passengers which may be carried on public service vehicles and trolleybuses, and as to the marking of such vehicles to show their carrying capacity.

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## PURCHASE TAX

### 1954 No. 1

#### The Purchase Tax (No. 1) Order, 1954

Made - - - - -	1st January, 1954
Laid before the House of Commons - - -	4th January, 1954
Coming into Operation	6th January, 1954

The Lords Commissioners of Her Majesty's Treasury by virtue of the powers conferred on them by subsection (1) of section twenty-one of the Finance Act,

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(a) S.I. 1948/609 (Rev. XX, p. 430: 1948 I, p. 3748).