

**1990 No. 2641**

**PUBLIC PASSENGER TRANSPORT**

**The Public Service Vehicle Operators (Qualifications)  
(Amendment) Regulations 1990**

<i>Made - - - -</i>	<i>20th December 1990</i>
<i>Laid before Parliament</i>	<i>11th January 1991</i>
<i>Coming into force</i>	<i>4th February 1991</i>

The Secretary of State for Transport, being a Minister designated<sup>(a)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(b)</sup> in relation to the regulation and supervision of the qualifications of persons engaged in road transport, in exercise of the powers conferred by that section, hereby makes the following Regulations:—

1. These Regulations may be cited as the Public Service Vehicle Operators (Qualifications) (Amendment) Regulations 1990 and shall come into force on 4th February 1991.

2.—(1) The provisions contained in Schedule 3 to the Public Passenger Vehicles Act 1981<sup>(c)</sup> shall have effect subject to the amendments specified in the Schedule to these Regulations.

(2) These Regulations shall not apply in relation to a certificate of professional competence issued before the date on which these Regulations come into force, or issued on or after that date to a person who has before that date passed the whole or part of the examination leading to the issue of the certificate.

Signed by authority of the  
Secretary of State for Transport

*Christopher Chope*  
Parliamentary Under Secretary of State,  
Department of Transport

20th December 1990

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**SCHEDULE**

Regulation 2(1)

**AMENDMENT OF SCHEDULE 3 TO THE PUBLIC PASSENGER  
VEHICLES ACT 1981**

1. In sub-paragraph 6(a) for the words “he is the holder of a certificate issued by an approved body to the effect that he possesses the requisite skills” there shall be substituted the words “he has demonstrated possession of the requisite skills by passing a written examination, which may take the form of a multiple-choice examination, organised by an approved body and he is the holder of a certificate to that effect issued by that approved body”.

2. In sub-paragraph 7(c) after the words “transport operations” there shall be added “as amended by Council Directive (EEC) No. 89/438 of 21st June 1989<sup>(d)</sup>”.

3. In paragraph 7 for the words “that Directive” there shall be substituted the words “the first of those Directives as amended by the second”.

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(a) S.I. 1975/1707.

(b) 1972 c.68.

(c) 1981 c.14; sections 14 and 17 and Schedule 3 were amended by section 3(5) of, and Part II of Schedule 2 to, the Transport Act 1985 (c.67) and Schedule 3 was further amended by S.I. 1990/1851.

(d) OJ No. L212, 22.7.89, p.101.

## EXPLANATORY NOTE

*(The note is not part of the Regulations)*

These Regulations amend Schedule 3 to the Public Passenger Vehicles Act 1981. They implement outstanding requirements of Council Directive (EEC) No. 89/438 of 21st June 1989 (OJ No. L212, 22.7.89, p.101) amending Council Directive (EEC) No. 74/562 of 12th November 1974 on admission to the occupation of road passenger transport operator in national and international transport operations (OJ No. L308, 19.11.74, p.23).

The change made by the Regulations is that in order to obtain a certificate of professional competence the individual shall pass a written examination set by an approved body (paragraph 1 of the Schedule).

The requirement to pass an examination will not apply in relation to new certificates of professional competence issued before the coming into force of the Regulations or issued on or after that date to a person who has before that date passed the whole or part of any examination leading to issue of the certificate (regulation 2(2)).

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