

SCHEDULE 2

Article 3

Amendments extending to England and Wales and Scotland — Subordinate Legislation

The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981(1)

<i>Provision</i>	<i>Amendment</i>
regulation (interpretation).	3(2) Omit the definition of “the Commissioners”.

The Public Service Vehicles (Carrying Capacity) Regulations 1984(3)

<i>Provision</i>	<i>Amendment</i>
regulation 9 (notification of increase of seating or standing capacity).	For “the traffic commissioners who granted that licence” substitute “a traffic commissioner”.

The Operation of Public Service Vehicles (Partnership) Regulations 1986(4)

<i>Provision</i>	<i>Amendment</i>
the Schedule,	
Part 1 (the Public Passenger Vehicles Act 1981),	In column 2—
	(a) in the entry relating to section 12(3) of the 1981 Act, for the words from “by the traffic commissioner” to “area”, substitute “in relation to the same traffic area”;
	(b) in the entry relating to section 14(1) of the 1981 Act—
	(i) for “the traffic commissioner”, in the first place where those words occur, substitute “a traffic commissioner”;
	(ii) for “unless he is” substitute “unless a traffic commissioner is”; and
	(iii) for “the traffic commissioner”, in the second place where those words occur, substitute “the traffic commissioner dealing with the application”;
	(c) in the entry relating to section 17(1) of the 1981 Act, for “the traffic commissioner”, substitute “a traffic commissioner”;
	(d) in the entry relating to section 19(1) of the 1981 Act, for “to whom the application was made”, substitute “dealing with the application”;
	(e) in the entry relating to section 19(2) of the 1981 Act, for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”; and

(1)

[S.I. 1981/257.](#)

(2) To which there are amendments which are not relevant to this Order.

(3)

[S.I. 1984/1406.](#)

(4)

S.I. 1986/1628. In the Schedule, the entries relating to sections 14(1) and 17(1) of the Public Passenger Vehicles Act 1981 (c.14) were amended by [S.I. 1990/1850](#), regulation 2. There are other amendments to the Schedule which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
	(f) in the entry relating to section 19(3) of the 1981 Act, for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”.
Part 2 (the Transport Act 1985).	In column 2, in the entry relating to section 12(12) of the 1985 Act, for the words from “by the traffic commissioner” to “area”, substitute “in relation to the same traffic area”.

The Public Service Vehicles (Traffic Commissioners: Publication and Inquiries) Regulations 1986(5)

<i>Provision</i>	<i>Amendment</i>
regulation 4(6) (traffic commissioner to make copies of “Notices and Proceedings” available),	In paragraph (1) omit “at his offices”.
regulation 5 (records).	For “Every traffic commissioner” substitute “A traffic commissioner”.
	In paragraph (1) omit “by him”.
	In paragraph (3), for “by him”, substitute “by him or another traffic commissioner”.
	In paragraph (4) omit “with him”.

The Section 19 Minibus (Designated Bodies) Order 1987(7)

<i>Provision</i>	<i>Amendment</i>
article 4 (returns).	For the words from “the traffic commissioner” to “carried on” substitute “a traffic commissioner”.
	In paragraph (a), for “every such permit”, substitute “every permit granted by it”.

The Traffic Areas (Reorganisation) Order 1990(8)

<i>Provision</i>	<i>Amendment</i>
article 5 (construction and amendments of enactments and other documents).	In paragraph (2), for “the Traffic Commissioner for that Area” in the second place where those words occur, substitute “a traffic commissioner”.

(5) [S.I.1986/1629.](#)
(6) To which there is an amendment which is not relevant to this Order.
(7) [S.I. 1987/1229.](#)
(8) [S.I. 1991/288.](#)

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The Serbia and Montenegro (United Nations Sanctions) Order 1993(9)

<i>Provision</i>	<i>Amendment</i>
article 5 (impounding of goods vehicles).	In paragraph (1)— (a) for “the traffic commissioner for any traffic area in Great Britain”, substitute “a traffic commissioner”; and (b) for “his traffic area”, substitute “Great Britain”. In paragraph (4), for “The traffic commissioner”, substitute “A traffic commissioner”. In paragraph (5)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.

The Goods Vehicles (Licensing of Operators) Regulations 1995(10)

<i>Provision</i>	<i>Amendment</i>
regulation 4 (manner of making applications),	In paragraph (a), for “the traffic commissioner to whom the application is made”, substitute “a traffic commissioner”.
regulation 5 (time of applications),	For “the traffic commissioner” substitute “a traffic commissioner”.
regulation 6 (dispensations as to applications),	For “The traffic commissioner” substitute “A traffic commissioner”.
regulation 7 (notice of applications),	In paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 8 (restrictions on applications),	In paragraphs (1) and (2), for “The traffic commissioner”, substitute “A traffic commissioner”.
regulation 9 (inspection of applications),	In paragraph (1), for the words from “The traffic commissioner” to “available for inspection”, substitute “Until an application has been determined, a traffic commissioner shall make available for inspection”. In paragraph (2)— (a) omit “by whom a licence is issued”; and (b) for “the licence”, substitute “a licence”. In paragraph (3)(a), for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the application relates”. In paragraph (4)(a), for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the licence relates”.
regulation 11 (manner of making objections and representations),	In paragraph (1), for “the traffic commissioner at the office of his traffic area”, substitute “a traffic commissioner”.

(9) **S.I. 1993/1188.**
 (10) **S.I. 1995/2869.** Regulations 4, 7 to 9, 11, 13 to 15, 18, 19, 21 to 23, 28, 29 and 31 are modified in relation to foreign goods vehicles by the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996, **S.I. 1996/2186**, Schedule 6. There are other modifications which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
regulation 13 (consideration of objections and representations),	In paragraphs (1) and (2), for “The traffic commissioner”, substitute “A traffic commissioner”.
regulation 14 (conditions which may be attached to a licence),	In paragraph (a), for “in the area of the traffic commissioner”, substitute “in the traffic area to which the licence relates”.
regulation 15 (considerations relevant to determinations),	In paragraph (1)(c), for “to whom the application is made”, substitute “dealing with the application”.
regulation 18 (manner of service of notice on review of an operating centre),	For “the traffic commissioner” substitute “a traffic commissioner”.
regulation 19 (manner of making representations in relation to a review),	For “the traffic commissioner at the office of his traffic area” substitute “a traffic commissioner”.
regulation 21 (statement to be issued by the traffic commissioner),	In paragraph (1)— <ul style="list-style-type: none"> (a) for “The traffic commissioner”, substitute “A traffic commissioner”; (b) in sub-paragraph (a)(ii), for “he proposes to hold inquiries and the applications which he proposes to consider”, substitute “inquiries are proposed to be held and the applications which are proposed for consideration”; (c) in sub-paragraph (a)(iii), omit “the traffic commissioner’s” and “his”; (d) in sub-paragraph (c), for “he proposes”, substitute “it is proposed”; and (e) in sub-paragraph (d), omit “of his”. <p>In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (3)—</p> <ul style="list-style-type: none"> (a) for the words from “may be inspected” to “as he”, substitute “shall be made available for inspection at such places as the traffic commissioner by whom it was issued”; and (b) for “the traffic commissioner” in the second place where those words occur, substitute “a traffic commissioner”.
regulation 22 (notification of decisions),	In paragraph (1)(c), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 23(11) (identification of motor vehicles),	In paragraph (1), for “The traffic commissioner”, substitute “A traffic commissioner”.
regulation 24 (temporary addition of a motor vehicle),	In paragraphs (a) and (b), for “the traffic commissioner”, substitute “a traffic commissioner”.

(11) To which there are amendments which are not relevant to this Order.

<i>Provision</i>	<i>Amendment</i>
regulation 25 (notification of change of address),	For “the traffic commissioner by whom the licence was granted” substitute “a traffic commissioner”.
regulation 27 (issue of copies of licences and discs),	In paragraph (1), for “the traffic commissioner by whom the licence or disc was issued”, substitute “a traffic commissioner”. In paragraph (2), for “the traffic commissioner” in each place where those words occur, substitute “a traffic commissioner”. In paragraph (3), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 28 (return of licences and discs),	In paragraph (1)— (a) for “the traffic commissioner by whom the licence was issued”, substitute “a traffic commissioner”; and (b) for “that traffic commissioner”, substitute “a traffic commissioner”. In paragraph (2)— (a) for “the traffic commissioner” in the first place where those words occur, substitute “the traffic commissioner directing the variation”; and (b) for “the traffic commissioner” in the second place where those words occur, substitute “a traffic commissioner”. In paragraph (3)— (a) for the words from “the office of” to “was issued”, substitute “a traffic commissioner”; and (b) in sub-paragraph (b), for “the traffic commissioner”, substitute “the traffic commissioner giving the direction”. In paragraph (5), for “the traffic commissioner” in both places where those words occur, substitute “a traffic commissioner”.
regulation 29(12) (partnerships),	In paragraph (10), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 30 (holding companies and subsidiaries),	In paragraph (1)— (a) for “the traffic commissioner for any traffic area”, substitute “a traffic commissioner”; and (b) in sub-paragraph (a)— (i) for “of that area,” substitute “of a particular traffic area,”; and (ii) after “of a licence”, insert “in respect of that area”. In paragraph (4)(a), for “the traffic commissioner who issued or varied its licence”, substitute “a traffic commissioner”. In paragraph (5), in the wording in quotation marks— (a) for “The traffic commissioner” substitute “A traffic commissioner”; and (b) for “to him” substitute “which is received”. In paragraph (6)—

(12) To which there is an amendment which is not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
	<p>(a) in sub-paragraph (a), for “the traffic commissioner by whom the licence was issued”, substitute “a traffic commissioner”; and</p> <p>(b) for “the traffic commissioner” in the second and third places where those words occur, substitute “a traffic commissioner”.</p>
regulation 31(13) (continuance of licence on death, bankruptcy etc.),	<p>In paragraph (3), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (4), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”.</p> <p>In paragraph (6)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
regulation 35 (manner of service of notice of review on ground of procedural irregularity),	<p>For “the traffic commissioner” substitute “a traffic commissioner”.</p>
Schedule 1 (notice of application for a licence or a variation of a licence),	<p>In paragraph 2, in the wording in quotation marks—</p> <p>(a) for “[address of Traffic Area Office]”, substitute “[<i>specify the address</i>]”; and</p> <p>(b) for “the Traffic Commissioner’s office” substitute “[<i>specify the address</i>]”.</p>
Schedule 2 (modifications in relation to holding companies and subsidiaries),	<p>In paragraph 2(h), in the wording in quotation marks—</p> <p>(a) for “The traffic commissioner” substitute “A traffic commissioner”; and</p> <p>(b) for “to him” substitute “which is received”.</p> <p>In paragraph 2(j), for “the traffic commissioner” in both places where those words occur, substitute “a traffic commissioner”.</p>
Schedule 4(14) (inquiries).	<p>In paragraph 1—</p> <p>(a) in sub-paragraphs (1) and (2), for “The traffic commissioner”, substitute “A traffic commissioner”; and</p> <p>(b) in sub-paragraphs (4) and (5), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph 5(7), for the words from “he was required” to “paragraph 1 of this Schedule”, substitute “notice of the inquiry was required to be given to such a person under paragraph 1 of this Schedule”.</p> <p>In paragraph 6(5), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph 8, for the words from ““inquiry” means” to “Act 1995”, substitute—</p> <p>“__</p>

(13) To which there are amendments which are not relevant to this Order.

(14) To which there is an amendment which is not relevant to this Order.

<i>Provision</i>	<i>Amendment</i>
	“inquiry” means an inquiry held for the purposes of the Goods Vehicles (Licensing of Operators) Act 1995(15); and “the traffic commissioner” means the traffic commissioner holding an inquiry”.

The Public Service Vehicles (Operators’ Licences) Regulations 1995(16)

<i>Provision</i>	<i>Amendment</i>
regulation 4 (inspection of applications),	In paragraph (1), for the words from “The traffic commissioner” to “a licence”, substitute “Where an application for a licence is received, a traffic commissioner”. In paragraph (2)— (a) for “The traffic commissioner” substitute “A traffic commissioner”; and (b) in sub-paragraph (a), for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the application relates”.
regulation 5 (objections to applications for licences),	In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”. In paragraph (3)— (a) for “the traffic commissioner” where those words first occur, substitute “a traffic commissioner”; and (b) for “at the office of his traffic area”, substitute “at an office provided for the use of a traffic commissioner in relation to the traffic area to which the application relates”.
regulation 8 (requirements of notice and consideration of representations),	For regulation 8 substitute— “Requirements of notice and consideration of representations 8.— (1) Paragraph (2) applies where— (a) a condition or additional condition is attached to a licence under section 16(3) other than on the grant of the licence, or (b) any condition attached to a licence under section 16(3), except a condition treated as so attached by virtue of section 27(4) of the 1985 Act, is altered under section 16(5)(a) other than at the holder’s request. (2) Before any such attachment or alteration is made— (a) a traffic commissioner shall give the holder notice of the proposal to do so, and (b) the traffic commissioner dealing with the matter shall consider any written representations from

(15) 1995 c.23.

(16)

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<i>Provision</i>	<i>Amendment</i>
	the holder about that proposal which are received within 14 days of such notice.”
regulation 9 (requirements of notice and consideration of representations),	<p>For paragraph (1) substitute—</p> <p>“(1) Before—</p> <ul style="list-style-type: none"> (a) any powers under section 17(1) or (2) are exercised in relation to a licence, (b) any condition is attached to a licence under section 26 of the 1985 Act, except— <ul style="list-style-type: none"> (i) on the grant of the licence, or (ii) if section 27(2) of that Act applies, (c) any condition attached to a licence under section 26 of the 1985 Act is varied, or (d) an order is made under section 28(1) of the 1985 Act in respect of a licence, <p>a traffic commissioner shall give notice to the holder or former holder.”</p> <p>In paragraph (2)—</p> <ul style="list-style-type: none"> (a) for sub-paragraph (a), substitute— <ul style="list-style-type: none"> “(a) that one or more of such actions is under consideration;”; (b) in sub-paragraph (e)(i), for “he proposes”, substitute “it is proposed”; and (c) in sub-paragraph (e)(ii)— <ul style="list-style-type: none"> (i) for “he does not propose” substitute “it is not proposed”, and (ii) for “him to do so” substitute “that an inquiry be held”. <p>In paragraph (3)—</p> <ul style="list-style-type: none"> (a) for “The traffic commissioner” substitute “A traffic commissioner”; (b) for “he receives” substitute “are received”; (c) for “he gives” substitute “is given”; and (d) for “he was considering” substitute “was under consideration”. <p>In paragraph (4), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
regulation 13 (issue of a duplicate licence or disc and prohibition on unauthorised alteration of a disc),	<p>In paragraph (1), for the words from “the traffic commissioner” to “marked as such”, substitute “a traffic commissioner so that a duplicate, marked as such, may be provided”.</p> <p>In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (3)—</p> <ul style="list-style-type: none"> (a) for “the traffic commissioner” where those words first occur, substitute “a traffic commissioner”; and

<i>Provision</i>	<i>Amendment</i>
	(b) for the words from “so that the” to “marked as such”, substitute “to a traffic commissioner so that a duplicate, marked as such, may be provided”.
regulation 14 (compulsory return of licences and discs),	<p>In paragraph (1), for “the traffic commissioner by whom it was granted”, substitute “a traffic commissioner”.</p> <p>In paragraph (2), for “the commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (3)—</p> <p>(a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and</p> <p>(b) for the words from “the traffic commissioner”, in the second place where those words occur, to “to the holder”, substitute “a traffic commissioner for the appropriate addition, alteration, variation or removal to be made prior to the return of the licence to the holder”.</p> <p>In paragraph (4), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (5), for “the traffic commissioner who issued it”, substitute “a traffic commissioner”.</p> <p>In paragraph (6)—</p> <p>(a) in sub-paragraph (a), for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the licence or disc relates”;</p> <p>(b) in sub-paragraph (b), for “the office of his traffic area”, substitute “such an office”; and</p> <p>(c) for “the traffic commissioner” in the second place where those words occur, substitute “a traffic commissioner”.</p> <p>In paragraph (7) omit “in the traffic area”.</p>
regulation 15 (voluntary return of discs),	<p>In paragraph (1)—</p> <p>(a) for “the traffic commissioner by whom the licence was issued”, substitute “a traffic commissioner”;</p> <p>(b) for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the licence relates”; and</p> <p>(c) for “that address”, substitute “such an office”.</p> <p>In paragraph (2) omit “in the traffic area”.</p>
regulation 16 (production of licences and discs for examination),	<p>In paragraph (1)—</p> <p>(a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and</p> <p>(b) for “the traffic commissioner for any traffic area”, substitute “a traffic commissioner”.</p> <p>In paragraph (2)—</p> <p>(a) omit the words from “within the traffic area” to “granted”; and</p>

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<i>Provision</i>	<i>Amendment</i>
	(b) insert at the end “within the traffic area to which the licence relates”.
regulation 17 (notification of decisions),	For “The traffic commissioner” substitute “A traffic commissioner”. Omit “to him”. Omit “the traffic commissioner”.
regulation 19 (notices generally),	In paragraph (5), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 20 (notification of change of address).	For the words from “the traffic commissioner” to “granted”, substitute “a traffic commissioner”.

The Goods Vehicles (Licensing of Operators) (Fees) Regulations 1995(17)

<i>Provision</i>	<i>Amendment</i>
regulation 3(18) (fees).	In paragraph (8), for “the traffic commissioner”, substitute “a traffic commissioner”.

The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996(19)

<i>Provision</i>	<i>Amendment</i>
Schedule 6, Part 1 (modifications to the Goods Vehicles (Licensing of Operators) Act 1995(20) in relation to foreign goods vehicles).	In paragraph (k), in the words in quotation marks, for “the traffic commissioner by whom the licence was issued” substitute “a traffic commissioner”. In paragraph (m), in the words in quotation marks— (a) for “to inform him” substitute “to inform a traffic commissioner”; and (b) for “the traffic commissioner” substitute “a traffic commissioner”. In paragraph (o), in the words in quotation marks, for the words from “the traffic commissioner” to “direct that it”, substitute “a traffic commissioner may direct that an operator’s licence”.

The Traffic Areas (Reorganisation) (Wales) Order 1999(21)

<i>Provision</i>	<i>Amendment</i>
article 4 (construction and amendment of enactments and other documents).	In paragraphs (1) and (2), for “the traffic commissioner for the Welsh Traffic Area”, substitute “a traffic commissioner”.

(17) [S.I. 1995/3000.](#)

(18) Paragraph (8) was amended by [S.I. 2009/804](#), regulation 4(1) and (3)(c). There are other amendments to regulation 3 which are not relevant to this Order.

(19) [S.I. 1996/2186.](#)

(20) [1995 c.23.](#)

(21) [S.I. 1999/1204.](#)

The Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999(22)

<i>Provision</i>	<i>Amendment</i>
the Schedule(23) (specified bodies).	(a) Omit the entry relating to the “Traffic Commissioner for the Scottish Traffic Area”; and (b) Insert in the appropriate place in alphabetical order—
	“Scottish Traffic Commissioner Section 4(1) of the Public Passenger Vehicles Act 1981 (c.14)”.

The Motor Vehicles (Driving Licences) Regulations 1999(24)

<i>Provision</i>	<i>Amendment</i>
regulation (interpretation)(25),	3 For the definition of “traffic commissioner” substitute— ““traffic commissioner” means a commissioner appointed under section 4 of the Public Passenger Vehicles Act 1981(26);”.
regulation 56 (holders of licences who are disqualified by order of a court),	In paragraph (5), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 57 (removal of disqualification),	In paragraph (1), for the words from “the traffic commissioner” to “referred to him”, substitute “a traffic commissioner in a case which was referred under regulation 56(5)”.
regulation 81 (service personnel),	For the words from “The traffic commissioner” to “Traffic Areas” substitute “A traffic commissioner”.
regulation 82 (Northern Ireland licences).	Omit paragraph (1). In paragraph (2), for sub-paragraph (b), substitute— “(b) if a particular court is not nominated under sub-paragraph (a), the Carlisle Combined Court Centre.

The Transport Tribunal Rules 2000(27)

<i>Provision</i>	<i>Amendment</i>
rule 5 (method of applying),	In paragraph (2), for “the traffic commissioner”, substitute— “— (a) the traffic commissioner who made the decision in respect of which the application is made; or

(22)

[S.I. 1999/1319.](#)

(23) There are amendments to the Schedule which are not relevant to this Order.

(24)

[S.I. 1999/2864.](#)

(25) There are amendments to regulation 3 which are not relevant to this Order.

(26) [1981 c.14.](#)

(27)

[S.I. 2000/3226.](#)

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<i>Provision</i>	<i>Amendment</i>
	(b) as the case may be, such other traffic commissioner as may be required by the senior traffic commissioner to deal with the application”.
rule 6 (contents of notice),	In paragraph (b), after “the traffic commissioner”, insert “who made the decision in respect of which the application is made or such other traffic commissioner as may be dealing with the application”.
rule 8 (traffic commissioner’s statement of reasons),	In paragraph (1)— (a) before “receipt”, insert “the”; (b) after “the traffic commissioner”, insert “who made the decision, or such other traffic commissioner as may be dealing with the application,”; and (c) for “his reasons for refusing or withdrawing”, substitute “the reasons for the refusal or withdrawal of”. In paragraph (2), for “he has previously done so”, substitute “this has previously been done”.
rule 10 (decision of the Tribunal),	In paragraph (3), for “the traffic commissioner”, substitute— “— (a) the traffic commissioner who made the decision in respect of which the application is made; or (b) such other traffic commissioner as may be dealing with the application”.
rule 12 (method of appealing),	In paragraph (2)(b), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought or, as the case may be, such other traffic commissioner as may be required by the senior traffic commissioner to deal with the appeal”.
rule 13(28) (action on receipt of appeal),	In paragraph (1)(a), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought or such other traffic commissioner as may be dealing with the appeal”.
rule 14(29) (parties to an appeal),	In paragraph (1), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought”.
rule 15 (supply of information and documents),	In paragraph (1)— (a) before “receipt”, insert “the”; and (b) after “the traffic commissioner” where those words first occur, insert “who made the decision against which the appeal is brought or, as the case may be, such other traffic commissioner as may be dealing with the appeal.”. In paragraph (1)(a) and (b), after “the traffic commissioner”, insert “who made the decision”. In paragraph (1)(c), for “the traffic commissioner’s note of the inquiry”, substitute “the note of the inquiry prepared by the traffic commissioner who held it”.

(28) Rule 13(1) was substituted by S.I. 2001/4041, rule 4(1). There are other amendments to rule 13 which are not relevant to this Order.

(29) To which there are amendments which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
	In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.
	In paragraph (3), after “The traffic commissioner”, insert “who made the decision against which the appeal is brought, or such other traffic commissioner as may be dealing with the appeal,”.
rule 23 (amendment),	In paragraph (2)(b), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought, or such other traffic commissioner as may be dealing with the appeal,”.
rule 25 (disclosure of documents),	In paragraph (1), after “The traffic commissioner”, insert “who made the decision against which the appeal is brought, such other traffic commissioner as may be dealing with the appeal”.
rule 28(30) (withdrawal of proceedings),	In paragraph (2), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought or such other traffic commissioner as may be dealing with the appeal”.
rule 29 (arrangements for hearings),	In paragraph (3)(b), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought, or such other traffic commissioner as may be dealing with the appeal,”.
rule 32 (limitation to grounds relied upon and evidence given),	In paragraph (1), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought”. In paragraph (2), after “the traffic commissioner”, insert “who made the decision”.
rule 35(31) (decision of the Tribunal).	In paragraph (3), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought, or such other traffic commissioner as may be dealing with the appeal,”.

The Goods Vehicles (Enforcement Powers) Regulations 2001(32)

<i>Provision</i>	<i>Amendment</i>
regulation 9(33) (notification of detention of a vehicle and its contents),	In paragraph (1)— (a) in sub-paragraph (a)(ia), for “the traffic commissioner”, substitute “a traffic commissioner”; and (b) for sub-paragraph (b)(ii) substitute— “(ii) a traffic commissioner;”.
regulation 10(34) (applications to a traffic commissioner),	In paragraph (1), for the words from “the traffic commissioner” to “was detained”, substitute “a traffic commissioner”. In paragraph (2)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.

(30) Rule 28(2) was amended by S.I. 2002/643, rule 10 and by S.I. 2008/2142, rules 2 and 8.

(31) Rule 35(3) was amended by S.I. 2002/643, rule 11(b) and by S.I. 2008/2142, rules 2 and 9(2). There are other amendments to rule 35 which are not relevant to this Order.

(32) [S.I. 2001/3981](#).

(33) Regulation 9 was amended by S.I. 2009/1965, regulations 2 and 7.

(34) Regulation 10 was amended by S.I. 2009/1965, regulations 2 and 8.

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<i>Provision</i>	<i>Amendment</i>
regulation (hearings),	<p>11(35) In paragraph (1)—</p> <p>(a) in sub-paragraph (a), for “the traffic commissioner”, substitute “a traffic commissioner”;</p> <p>(b) for sub-paragraph (b), substitute—</p> <p style="padding-left: 40px;">“(b) following the receipt of an application under regulation 10(1) a traffic commissioner decides that it would be appropriate for a hearing to be held before a determination on the application is made,”;</p> <p>(c) for the words “the traffic commissioner shall” immediately following sub-paragraph (b), substitute “a traffic commissioner shall”;</p> <p>(d) for “of receipt”, substitute “of the receipt”; and</p> <p>(e) omit “of the traffic commissioner”.</p> <p>After paragraph (6) add—</p> <p style="padding-left: 40px;">“(7) In this regulation “the traffic commissioner” means the traffic commissioner dealing with the application.”</p>
regulation (notification determinations),	<p>12(36) For “The traffic commissioner” substitute “A traffic commissioner”.</p> <p>of In paragraph (a), for “after receiving”, substitute “after the receipt of”.</p>
regulation 13 (appeals from a determination of a traffic commissioner to the Upper Tribunal),	<p>13(37) In paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
regulation 14 (return of a vehicle detained),	<p>14(38) For “the traffic commissioner”, in the first place where those words occur, substitute “a traffic commissioner”.</p>
regulation 15 (disposal of vehicles).	<p>15(39) In paragraph (1)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (2), for sub-paragraph (b), substitute—</p> <p style="padding-left: 40px;">“(b) a traffic commissioner;”.</p>

The Freedom of Information (Excluded Welsh Authorities) Order 2002(40)

<i>Provision</i>	<i>Amendment</i>
The Schedule (excluded authorities), Part 2,	For the entry relating to the Traffic Commissioner for the Welsh Traffic Area substitute—

(35) Regulation 11 was amended by [S.I. 2009/1965](#), regulations 2 and 9 and by [S.I. 2008/2683](#), article 6(1) and Schedule 1, paragraph 177.

(36) Regulation 12 was amended by [S.I. 2009/1965](#), regulations 2 and 10.

(37) Regulation 13 was amended by [S.I. 2009/1885](#), article 4(2) and Schedule 2, paragraphs 7 and 8.

(38) Regulation 14 was amended by [S.I. 2009/1885](#), article 4(2) and Schedule 2, paragraphs 7 and 9; and by [S.I. 2009/1965](#), regulations 2 and 11.

(39) Regulation 15 was amended by [S.I. 2009/1885](#), article 4(2) and Schedule 2, paragraphs 7 and 10; and by [S.I. 2009/1965](#), regulations 2 and 12.

(40) [S.I. 2002/2832](#); to which there are amendments which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
	“Any traffic commissioner who carries out functions only or mainly in or as regards Wales, in respect of information held by that traffic commissioner otherwise than as a tribunal.”

The Administrative Justice and Tribunals Council (Listed Tribunals) Order 2007(41)

<i>Provision</i>	<i>Amendment</i>
article 2(42) (list of tribunals).	In the Table, in the first column, for “Traffic Commissioners for areas in England and Wales”, substitute “Traffic commissioners for England and Wales and the Scottish traffic commissioner in respect of the exercise in relation to any traffic area in England and Wales of any functions of a traffic commissioner that relate to reserved matters within the meaning of the Scotland Act 1998(43)”.

The Section 19 Permit Regulations 2009(44)

<i>Provision</i>	<i>Amendment</i>
regulation 2 (interpretation),	In regulation 2(1), for the definition of “issuing body”, substitute— “issuing body” means— (a) a traffic commissioner; or (b) as the case may be, the designated body which granted a permit and issued a corresponding disc;”.
regulation 10 (replacement of certain permits and discs which are lost or destroyed),	In paragraph (1) omit “which granted the permit or issued the disc”. In paragraph (5) omit “which granted or issued it”.
regulation 11(revocation of permits granted before 6 th April 2009 which are lost or destroyed),	In paragraph (1) omit “which granted the permit or issued the disc”. In paragraph (7) omit “which granted or issued it”.
regulation 12 (return of permits and discs),	For paragraphs (a) and (b), substitute— “(a) a traffic commissioner; or (b) if the designated body which revoked the permit has not ceased to be a designated body, that designated body.”
regulation 13 (transitional provisions).	In paragraph (3), for “the traffic commissioner for”, substitute “a traffic commissioner in relation to”.

(41) [S.I. 2007/2951.](#)

(42) To which there are amendments which are not relevant to this Order.

(43) [1998 c.46.](#)

(44) [S.I. 2009/365.](#)

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The Community Bus Regulations 2009(45)

<i>Provision</i>	<i>Amendment</i>
regulation 6 (attaching conditions to permits : large buses),	In paragraph (1)— (a) omit “who granted a permit”; and (b) for “to it”, substitute “to a permit”.
regulation 7 (return of permits for conditions to be attached),	In paragraph (1), for the words from “A holder” to “so that”, substitute “The holder of a permit must, on receipt of a written notice from a traffic commissioner, produce the permit to a traffic commissioner so that”. In paragraph (2)(e), for “the traffic commissioner”, substitute “a traffic commissioner”. In paragraph (3), for “the traffic commissioner” in both places where those words occur, substitute “a traffic commissioner”. In paragraph (4), for “the traffic commissioner” in each place where those words occur, substitute “a traffic commissioner”. In paragraphs (5) and (7), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 11 (replacement of certain permits and discs which are lost or destroyed),	In paragraph (1), for “the traffic commissioner who granted the permit or issued the disc”, substitute “a traffic commissioner”. In paragraph (2)(b), for “the traffic commissioner to issue a replacement permit”, substitute “a replacement permit to be issued”. In paragraph (3)— (a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and (b) for “if requested to do so”, substitute “if a request has been made”. In paragraph (5), for “the traffic commissioner who granted or issued it”, substitute “a traffic commissioner”.
regulation 12 (revocation of permits granted before 6th April 2009 which are lost or destroyed),	In paragraph (1), for “the traffic commissioner who granted the permit or issued the disc”, substitute “a traffic commissioner”. In paragraph (2)(b), for “the traffic commissioner to grant a new permit”, substitute “a new permit to be granted”. In paragraph (3)— (a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and (b) for “if requested to do so”, substitute “if a request has been made”. In paragraph (4)— (a) for “to the traffic commissioner”, substitute “under paragraph (2)(a)”;

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<i>Provision</i>	<i>Amendment</i>
	<p>(b) in sub-paragraph (a), after “the traffic commissioner”, insert “dealing with the matter”; and</p> <p>(c) in sub-paragraph (b), for “the traffic commissioner”, substitute “that traffic commissioner”.</p> <p>In paragraph (5)—</p> <p>(a) for “to the traffic commissioner”, substitute “under paragraph (2)(a)”; and</p> <p>(b) for “by the traffic commissioner”, substitute “by a traffic commissioner”.</p> <p>In paragraph (7), for “the traffic commissioner who granted or issued it”, substitute “a traffic commissioner”.</p> <p>regulation 13 (surrender of permits and discs). For “the traffic commissioner who granted and issued them” substitute “a traffic commissioner”.</p>

The Department for Transport (Fees) Order 2009(46)

<i>Provision</i>	<i>Amendment</i>
Schedule 1 (specified functions).	<p>In Part 2 (Public Passenger Vehicles Act 1981(47)), in paragraphs 7, 8, 9, 10, 11, 14, 15, 16, 18, 19 and 20, omit the word “the” before “traffic commissioners”.</p> <p>In Part 5 (Goods Vehicles (Licensing of Operators) Act 1995(48)), in paragraphs 44, 45, 46 and 47, omit the word “the” before “traffic commissioners”.</p>

The Public Service Vehicles (Enforcement Powers) Regulations 2009(49)

<i>Provision</i>	<i>Amendment</i>
regulation 9 (informing persons that their property has been detained etc.),	<p>In paragraph (3), for sub-paragraph (b), substitute—</p> <p>“(b) a traffic commissioner;”.</p> <p>In paragraph (4)—</p> <p>(a) in sub-paragraph (c)(i), for the words from “the traffic commissioner” to “was detained”, substitute “a traffic commissioner”; and</p> <p>(b) in sub-paragraph (d), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
regulation 11 (application to traffic commissioner for return of vehicle),	<p>In paragraph (1), for the words from “the traffic commissioner” to “was detained”, substitute “a traffic commissioner”.</p> <p>In paragraph (3), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
regulation 12 (hearings by traffic commissioner),	<p>In paragraph (1)—</p>

(46) **S.I. 2009/711.** Paragraph 45 was amended by **S.I. 2011/1043**, article 4(1).

(47) 1981 c.14.

(48) 1995 c.23.

(49)

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<i>Provision</i>	<i>Amendment</i>
	<p>(a) in sub-paragraph (a), for “the traffic commissioner”, substitute “a traffic commissioner”;</p> <p>(b) for sub-paragraph (b), substitute—</p> <p style="padding-left: 40px;">“(b) following the receipt of an application under regulation 11(1) a traffic commissioner decides that it would be appropriate for a hearing to be held before a determination on the application is made,”;</p> <p>(c) for the words “the traffic commissioner must” immediately following sub-paragraph (b), substitute “a traffic commissioner must”;</p> <p>(d) for “of receipt”, substitute “of the receipt”; and</p> <p>(e) omit “of the traffic commissioner”.</p> <p>After paragraph (6) add—</p> <p style="padding-left: 40px;">“(7) In this regulation “the traffic commissioner” means the traffic commissioner dealing with the application.”</p>
regulation 13 (notification of determinations),	In paragraph (1), for “The traffic commissioner”, substitute “A traffic commissioner”.
regulation 14 (consequences of the traffic commissioner’s determination),	In paragraph (a), for “the traffic commissioner”, substitute “a traffic commissioner”. In paragraph (b), for “commissioner determines”, substitute “commissioner dealing with the application determines”.
regulation 15 (appeal to Upper Tribunal from traffic commissioner),	For “the traffic commissioner” substitute “a traffic commissioner”.
regulation 16 (sale or destruction of vehicle).	In paragraph (1), for “the traffic commissioner” in both places where those words occur, substitute “a traffic commissioner”. In paragraph (4), for sub-paragraph (b), substitute— “(b) a traffic commissioner.”