STATUTORY INSTRUMENTS

1962 No. 2759

TRANSPORT

The British Transport Commission (Continuation) Order 1962

Made - - - -	14*th December* 1962
Laid before Parliament	28*th December* 1962
Coming into Operation	29*th December* 1962

The Minister of Transport in exercise of his powers under section 80 (2) and (3) of the Transport Act 1962(a) and of all other enabling powers hereby makes the following Order:—

1.—(1) This Order may be cited as the British Transport Commission (Continuation) Order 1962 and shall come into operation on the 29th December 1962.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2. In this Order, unless the context otherwise requires:—

"the Act" means the Transport Act 1962;

"the Commission" means the British Transport Commission;

"the Minister" means the Minister of Transport;

"the vesting date" means the date appointed by the Minister under section 31 (1) of the Act.

3. The Commission shall not be dissolved until the 1st April 1963.

4.—(1) The following provisions of this Article shall have effect with respect to the constitution and proceedings of the Commission in the period after the vesting date.

(2) The Commission shall consist of a Chairman and not more than five other members. The Chairman of the Commission on the vesting date shall continue to be the Chairman thereof and of the other members of the Commission on that date those, and only those, who are then members of the British Railways Board and who, subject to their membership of the Commission, are required to render whole time service to that Board shall continue to be members of the Commission.

(3) If any vacancy occurs in the office of Chairman or among the other members of the Commission the Minister may appoint any person who is a member of the British Railways Board to fill that vacancy.

(4) Every member of the Commission shall hold and vacate his office in accordance with the terms of his appointment and shall, on ceasing to be a member, be eligible for reappointment:

Provided that—

(*a*) a member may at any time by notice in writing to the Minister resign his office;

(a) 10 & 11 Eliz. 2. c. 46. (b) 52 & 53 Vict. c. 63.

(*b*) a member of the Commission shall vacate his office if at any time he ceases to be a member of the British Railways Board;

(*c*) no salary shall be payable to any member of the Commission in respect of his membership thereof on or after the vesting date.

(5) The like provisions as are contained in the First Schedule to the Transport Act 1947(a) shall have effect with respect to the constitution and proceedings of the Commission except that the quorum of the Commission shall be two instead of three.

Given under the Official Seal of the Minister of Transport the 14th December 1962.

(L.S.)

Ernest Marples,
The Minister of Transport.

EXPLANATORY NOTE

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

Section 80 (1) of the Transport Act, 1962 provides for the dissolution of the British Transport Commission on the vesting date appointed under Section 31 (1) of the Act when their undertaking is transferred to the Boards and the Transport Holding Company set up by the Act. The date so appointed is the 1st January 1963 (The Transport Act 1962 (Vesting Date) Order 1962—S.I. 1962/2634). If however it appears to the Minister of Transport that the transfer to the new Boards of certain property and rights outside Great Britain cannot be completed until a date after the vesting date he is empowered by Section 80 (2) and (3) to provide for the continuance of the Commission until that later date with the limited function of completing that transfer and for the constitution and proceedings of the Commission after the vesting date for that purpose. This Order made in pursuance of subsections (2) and (3) provides for the continuance of the Commission until 1st April 1963 and for its constitution and proceedings after the vesting date.

(a) 10 & 11 Geo. 6. c. 49.