STATUTORY INSTRUMENTS

1985 No. 1906

PUBLIC PASSENGER VEHICLES

The Operation of Public Service Vehicles (Partnership) (Amendment) Regulations 1985

Made - - -	*6th December* 1985
Laid before Parliament	*13th December* 1985
Coming into Operation	*6th January* 1986

The Secretary of State for Transport, in exercise of the powers conferred by section 58(1) of the Public Passenger Vehicles Act 1981(**a**), and of all other enabling powers, and after consultation with representative organisations in accordance with section 61(2) of the said Act(**b**), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Operation of Public Service Vehicles (Partnership) (Amendment) Regulations 1985 and shall come into operation on 6th January 1986.

Amendment of Regulations

2. The Operation of Public Service Vehicles (Partnership) Regulations 1981(**c**) shall be amended in accordance with the following provisions of these Regulations.

3. Regulation 3(1) shall be amended by —

(1) the deletion of the word "and" after sub-paragraph (*b*);

(2) the substitution of a semi-colon for a full stop after sub-paragraph (*c*) and the addition of the following —

"(*d*) the provisions of the Transport Act 1985 and the Regulations made thereunder specified in column (1) of Schedule 4 to these Regulations shall be modified as indicated in relation to those provisions in column (2) of that Schedule; and

(*e*) section 31(3)(*c*) of the Public Passenger Vehicles Act 1981 as modified by paragraph 2(2) of Schedule 6 to the Transport Act 1985 in relation to services which do not involve the use of any place in London as a stopping

(**a**) 1981 c.14; section 58(1) was applied by section 132 of the Transport Act 1985 (c.67).
(**b**) Section 61(2) was amended by the Transport Act 1985, section 135(1).
(**c**) S.I. 1981/259.

place shall be further modified so that the word "applicant", in both places where it occurs, shall mean, in any case where an application is made by persons in partnership, the firm.".

4. An additional Schedule shall be inserted after Schedule 3 as follows —

"Schedule 4

(see regulation 3(1)(*d*))

(MODIFICATIONS OF PROVISIONS OF THE TRANSPORT ACT 1985 AND REGULATIONS MADE THEREUNDER)

(1)	(2)
Provisions of the Transport Act 1985 and Regulations made thereunder	Modifications as regards persons in partnership
Section 12(1) and (7) of the Act; and regulation 3(1)(*a*)(i) of the Public Passenger Vehicles (Registration of Local Services: Transitional Provisions) Regulations 1985(**a**)	In these subsections and this sub-paragraph the word "holder" means, in a case where a licence is held by or granted to persons in partnership, the firm.
Section 12(12) of the Act	The restriction that a person shall not at the same time hold more than one special licence granted by the traffic commissioner for the same area shall apply so that a person in partnership shall be treated as a person separate from that person as an individual or in any other partnership.".

Nicholas Ridley,
Secretary of State for Transport.

6th December 1985.

(**a**) S.I. 1985/1904.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Operation of Public Service Vehicles (Partnership) Regulations 1981 to modify, in their application to persons in partnership —

(*a*) section 12 of the Transport Act 1985 (which relates to the use of taxis in providing local services and provides for special licences as defined in subsection (2) of that section),

(*b*) regulation 3(1)(*a*)(i) of the Public Passenger Vehicles (Registration of Local Services: Transitional Provisions) Regulations (which relates to applications to register prescribed particulars of local services), and

(*c*) section 31(3) of the Public Passenger Vehicles Act 1981 as modified by paragraph 2(2) of Schedule 6 to the Transport Act 1985 (which relates to the grounds upon which the grant of a road service licence for a service without a stopping place in London shall be taken to interfere with the transition to deregulation).

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