STATUTORY INSTRUMENTS

1961 No. 2128

ROAD TRAFFIC

The Public Service Vehicles (Licences and Certificates) (Amendment) Regulations, 1961

Made - - - -	*2nd November*, 1961
Laid before Parliament	*13th November*, 1961
Coming into Operation	*27th November*, 1961

The Minister of Transport, in exercise of his powers under sections 158 and 160 of the Road Traffic Act, 1960(a), as amended by section 24 of, and the Schedule to, the Road Traffic and Roads Improvement Act, 1960(b), and of all other powers him enabling in that behalf, and after consultation with the Council on Tribunals in accordance with subsection (1) of section 8 of the Tribunals and Inquiries Act, 1958(c), and with representative organisations in accordance with the provisions of subsection (2) of section 260 of the Road Traffic Act, 1960, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the twenty-seventh day of November, 1961, and may be cited as the Public Service Vehicles (Licences and Certificates) (Amendment) Regulations, 1961.

(2) The Interpretation Act, 1889(d), shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2. The Public Service Vehicles (Licences and Certificates) Regulations, 1952(e), as amended by the Public Service Vehicles (Licences and Certificates) (Amendment) Regulations, 1957(f), shall have effect as though—

(1) in paragraph (1) of Regulation 46—

(*a*) in sub-paragraph (*a*) the words " and notify the holder and such other persons as aforesaid of such publication ", and

(*b*) in sub-paragraph (*b*) the words " and such other persons as aforesaid " were omitted ; and

(2) after paragraph (2) of Regulation 46 there were added the following paragraphs :—

" (3) If in the case of an application or a proposal for the variation of the conditions attached to a licence or a backing for a period not exceeding eight weeks in circumstances that could not reasonably have been foreseen the Commissioners are satisfied that it is expedient that the conditions should be varied as a matter of urgency, the provisions of this Regulation with respect to the notification or publication of applications or proposals for the variation of conditions of a licence or a backing and the consideration of objections and representations in connection therewith shall not apply unless the Commissioners otherwise determine in respect of any of the said provisions.

(a) 8 & 9 Eliz. 2. c. 16. (b) 8 & 9 Eliz. 2. c. 63. (c) 6 & 7 Eliz. 2. c. 66.
(d) 52 & 53 Vict. c. 63. (e) S.I. 1952 900 (1952 III, p. 2907).
(f) S.I. 1957, 123 (1957 II, p. 1934).

(4) Notwithstanding anything in Regulation 41 of these Regulations, where the Commissioners decide to vary the conditions attached to a licence or a backing in a case such as is mentioned in the last foregoing paragraph they shall publish their decision in Notices and Proceedings."

Given under the Official Seal of the Minister of Transport this second day of November, 1961.

(L.S.) *Ernest Marples,*
The Minister of Transport.

EXPLANATORY NOTE

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

These Regulations further amend the Public Service Vehicles (Licences and Certificates) Regulations, 1952 (which made provision as to the procedure in connection with the licensing of, and the grant of certificates of fitness for, public service vehicles). The changes are as follows:—

1. The requirement that Traffic Commissioners, when they publish notice of an application or proposal to vary the conditions of a road service licence or backing in Notices and Proceedings, shall notify interested persons of the fact of such publication will no longer apply.

2. The requirements as to publication of such applications or proposals, and the consideration of objections in relation thereto, may be waived in a case where the variation applied for or proposed is for a period not exceeding eight weeks, is made in circumstances that could not reasonably have been foreseen and is needed as a matter of urgency. The Commissioners are required to publish their decision in such a case in Notices and Proceedings.