STATUTORY INSTRUMENTS

1985 No. 1905

PUBLIC PASSENGER VEHICLES

The Public Service Vehicles (Operators' Licences) (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 sections 16(3), 52(1), 59, 60, 81(1) and 82(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 that Act(**b**), hereby makes the following Regulations:

Citation and commencement

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

Amendment of Regulations

2. In relation to any application made, thing done, or proceedings pending before these Regulations come into operation in relation to the traffic commissioners as then constituted, the Public Service Vehicles (Operators' Licences) Regulations 1981(**c**) ("the principal Regulations") as amended by these Regulations shall apply as if that application had been made, thing had been done, or proceedings were pending in relation to the traffic commissioner for the relevant traffic area.

3. The principal Regulations shall be amended in accordance with the following provisions of these Regulations.

4. For every reference to the traffic commissioners shall be substituted a reference to the traffic commissioner and related expressions shall be amended accordingly.

(**a**) 1981 c.14; section 60 was amended by the Transport Act 1985 (c.67), section 134(2) and Schedule 2, Part II, paragraph 4(18).
(**b**) Section 61(2) was amended by section 135(1) of the Transport Act 1985.
(**c**) S.I. 1981/258.

5. In regulation 3 —

(1) the following definition shall be inserted after the definition of "certifying officer"—

" "designated sporting event" has the same meaning as in the Sporting Events (Control of Alcohol etc.) Act 1985(**a**);" and

(2) the following shall be inserted in the definition of "licence" after the words "operator's licence"—

"and "special licence" has the same meaning as in section 12(2) of the Transport Act 1985".

6.—(1) In regulation 4(1), the words after "to or from" shall be deleted and the following substituted—

"a designated sporting event.".

(2) In regulation 4(2), the word "and" shall be inserted after sub-paragraph (*a*), and sub-paragraphs (*c*) and (*d*) shall be deleted.

7. In regulation 6(1)(v), for the words "a public sitting" in both places where they occur there shall be substituted the words "an inquiry".

8. In regulation 7, after the word "licence" where it first occurs shall be inserted—

"(other than a special licence)".

9.—(1) In regulation 16(iii), for the words "as a stage, express or contract carriage" shall be substituted "for carrying passengers for hire or reward".

(2) A comma shall be substituted for the full stop at the end of regulation 16(iii) and the following shall be added—

"and (iv) the vehicle is not a licensed taxi made available by the holder of a special licence.".

10. In regulation 17—

(1) in paragraph (1), there shall be inserted after the word "licence" where it first occurs—

"other than a special licence"; and

(2) the following shall be substituted for paragraph (3)—

"(3) The fee for an application for a special licence shall be £40.".

(**a**) 1985 c.57.

11. In regulation 18(1), for the words "surrenders a licence" shall be substituted—

"of a licence other than a special licence surrenders his licence".

12. In Schedule 2, a comma shall be substituted for the semi-colon after paragraph 2(*a*)(iii) and the following inserted before the word "and"—

"(iv) Part I of the Transport Act 1985 or any regulations made thereunder,

(v) section 1(2) of the Sporting Events (Control of Alcohol etc.) Act 1985;".

Nicholas Ridley,
Secretary of State for Transport.

6th December 1985.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Public Service Vehicles (Operators' Licences) Regulations 1981 ("the principal Regulations"). The main changes are:

1. amendments consequential on the substitution of a single traffic commissioner for each traffic area in place of a body of commissioners;

2. amendments adapting regulation 4 of the principal Regulations (which relates to conditions which may be attached to a PSV operator's licence) to the Sporting Events (Control of Alcohol etc.) Act 1985;

3. amendments consequential on the commencement of section 12 of the Transport Act 1985 (use of taxis in providing local services) which provides for "special licences" as defined in subsection (2) of that section, including provision (by amendment to regulation 17 of the principal Regulations) for a fee of £40 for an application for such a licence;

4. an amendment to Schedule 2 to the principal Regulations, to provide that offences under Part I of the Transport Act 1985, any regulations made thereunder and section 1(2) of the Sporting Events (Control of Alcohol etc.) Act 1985 become "relevant convictions" for the purposes of the Public Passenger Vehicles Act 1981.

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