STATUTORY INSTRUMENTS

2010 No. 452

PUBLIC PASSENGER TRANSPORT

The Public Service Vehicles (Operators' Licences) (Amendment) Regulations 2010

Made - - - -	*23rd February 2010*
Laid before Parliament	*2nd March 2010*
Coming into force - -	*1st April 2010*

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 18(3), 57(2), 60(1) and 60(1A) of the Public Passenger Vehicles Act 1981(**a**).

The Secretary of State has consulted with such representative organisations as were thought fit in accordance with section 61(2) of the 1981 Act (**b**).

The Administrative Justice and Tribunals Council has been consulted and that Council has consulted the Scottish and Welsh Committees, in accordance with section 44 of and paragraph 24 of Schedule 7 to the Tribunals, Courts and Enforcement Act 2007(**c**).

Citation and commencement

1. These Regulations may be cited as The Public Service Vehicles (Operators' Licences) (Amendment) Regulations 2010 and shall come into force on 1st April 2010.

Amendments

2.—(1) The Public Service Vehicles (Operators' Licences) Regulations 1995(**d**) are amended as follows.

(2) In paragraph (1) of regulation 10, the words "comes into force and the date on which it", are omitted.

(3) For regulation 11 (which deals with the coming into force and expiry of discs), there is substituted—

(**a**) 1981 c.14. Paragraph (aa) of section 18(3) was inserted by section 63 of the Deregulation and Contracting Out Act 1994 (c.40) and section 60(1A) was inserted by section 134 of the Transport Act 1985 (c.67) (in these footnotes called "the 1985 Act"). For the definition of "regulations", see section 60(2) of the 1981 Act, as amended by the 1985 Act, section 134.

(**b**) Section 61(2) of the 1981 Act was amended by the 1985 Act .

(**c**) 2007 c.15. The Traffic Commissioners are a listed tribunal for the purposes of paragraph 24 of Schedule 7 by virtue of the Administrative Justice and Tribunals Council (Listed Tribunals) Order 2007 (S.I. 2007/2951) and the Administrative Justice and Tribunals Council (Listed Tribunals) (Scotland) Order 2007 (S.S.I. 2007/436) . The "Scottish Committee", "Welsh Committee" and "procedural rules" are each defined in paragraph 28(1) of Schedule 7.

(**d**) S.I. 1995/2908, as amended by S.I. 2009/786.

"**The expiry of discs**

11.—(1) Without prejudice to regulations 14 and 15, a disc shall expire at the end of the 5 year period specified in paragraph (2).

(2) The 5 year period referred to in paragraph (1) is the latest of—

(a) the period of 5 years beginning with the first day of the month in which the relevant licence comes into force and ending immediately before the fifth anniversary of that day; and

(b) each subsequent consecutive period of 5 years."

Signed by authority of the Secretary of State

Paul Clark
Parliamentary Under Secretary of State
Department for Transport

23rd February 2010

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Public Service Vehicles (Operators' Licences) Regulations 1995 ("the principal Regulations").

Section 18 of the Public Passenger Vehicles Act 1981 ("the 1981 Act") requires a disc to be exhibited on any vehicle used under an operator's licence ("disc"). The principal Regulations provide, amongst other things, for the period of validity of such discs and for such period to be shown on the disc.

These Regulations simplify the principal Regulations by removing the requirement for discs to show a coming into force date as well as an expiry date (which will still need to be shown) and substitute a new and simplified regulation 11 of the principal Regulations, providing for discs to expire at the end of each 5 year period after the coming into force of the licence.

A full impact assessment has not been produced for this instrument. No impact on the private or voluntary sectors is foreseen, except for a reduction in the cost and administrative burdens associated with discs.

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