STATUTORY INSTRUMENTS

1985 No. 1907

PUBLIC PASSENGER VEHICLES

The Public Service Vehicles (Road Service Licences and Express Services) (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 31(4)(*a*), 37(1), 50(9), 59 and 60 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 of 1981(**b**) and with the Council on Tribunals in accordance with section 10(1) of the Tribunals and Inquiries Act 1971(**c**), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Public Service Vehicles (Road Service Licences and Express Services) (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 (Road Service Licences and Express Services) Regulations 1980(**d**) ("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:

Provided that when a period of time specified in the principal Regulations is shortened by these Regulations, it shall not be so shortened if it has started to run at the date these Regulations come into operation.

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

(**a**) 1981 c.14; section 31(4)(*a*) was modified by the Transport Act 1985 (c.67), Schedule 6, paragraph 2(2) in relation to services which do not have a stopping place in London; section 60 was amended by the Transport Act 1985, 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**) 1971 c.62.
(**d**) S.I. 1980/1354, to which there are amendments not relevant to these Regulations.

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

(2) For every reference to a public sitting shall be substituted a reference to an inquiry.

5. In regulation 3(1), the following definition shall be inserted after the definition of "licence"—

" 'London' means the administrative area of Greater London as for the time being constituted;".

6. In regulation 4—

(1) there shall be inserted at the beginning of paragraph 2 the words "Subject to paragraph (2A)"; and

(2) there shall be inserted an additional paragraph after paragraph (2) as follows—

"(2A) In the case of a service in the course of which passengers may be taken up or set down both within and outside London, the application for a licence shall be sent to the traffic commissioner for the Metropolitan Traffic Area.".

7. There shall be inserted in regulations 9(1)(*c*) and 10(2) and (3), after the words "28 days", the following—

"(or, where no passengers will be taken up or set down in London in the course of the relevant service, 14 days)".

8. In regulation 11, there shall be inserted after the word "licence" where it first appears the following—

"(other than one for a service in the course of which passengers are taken up or set down outside London)".

9. In regulation 14, the words after "shall be" shall be deleted, and the following substituted—

"(1) for any service in the course of which passengers are taken up or set down outside London, 25th October;

(2) in any other case, the last day of every month.".

10. There shall be added to regulation 20(1) the following proviso:

"Provided that, in respect of an appeal relating to a service in the course of which no passengers will be taken up or set down in London, the time limits of 42 and 28 days specified in sub-paragraphs (*a*) and (*b*) above respectively shall be calculated, not from the date of publication in Notices and Proceedings, but from—

(i) the date of the decision against which the appeal is made, if that decision is given orally at an inquiry, or

(ii) in any other case, the date of the notice of that decision sent by the traffic commissioner to the relevant person who may appeal.".

11. Regulation 22 is hereby revoked.

Nicholas Ridley,
Secretary of State for Transport.

6th December 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Public Service Vehicles (Road Service Licences and Express Services) Regulations 1980 ("the principal Regulations") and make provision for the transitional period which will end on 25th October 1986, when road service licensing is to be abolished by section 1 of the Transport Act 1985.

The main changes to the principal Regulations are —

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

2. an amendment to the calculation of certain time limits in proceedings relating to road service licences where no passengers are taken up or set down in Greater London in the relevant services; and

3. different dates are prescribed for the expiry of road service licences.

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