STATUTORY INSTRUMENTS

1980 No. 916

ROAD TRAFFIC

The Traffic Commissioners (Nominations to Panels) Regulations 1980

Made - - - -	*2nd July* 1980
Laid before Parliament	*9th July* 1980
Coming into Operation	*31st July* 1980

The Minister of Transport in exercise of the powers conferred by sections 121 and 160(1) of the Road Traffic Act 1960**(a)** and now vested in him **(b)**, and of all other enabling powers, and after consulting representative organisations in accordance with section 260(2) of the said Act **(c)**, hereby makes the following Regulations:—

Commencement and Citation

1. These Regulations shall come into operation on 31st July 1980, and may be cited as the Traffic Commissioners (Nomination to Panels) Regulations 1980.

Revocation

2. The Traffic Commissioners (Nominations to Panels) Regulations 1962**(d)** are hereby revoked.

Interpretation

3. In these Regulations —

"the Act" means the Road Traffic Act 1960;

"the Minister" means the Minister of Transport; and

"panel" means a panel of persons nominated in accordance with the provisions of section 121(4)(*b*) of the Act or a panel of persons nominated in accordance with the provisions of section 121(4)(*c*) of the Act (which relate to the appointment of persons to act as traffic commissioners).

(a) 1960 c. 16; section 121 of which Act has been amended by section 39 of the Transport Act 1980 (c. 34), and section 160(1) of which Act has been amended by section 43(1) of, and paragraph 11 of Part 1 of Schedule 5 to, the Transport Act 1980.

(b) S.I. 1970/1681 and 1979/571.

(c) 1960 c. 16; section 260(2) of which Act has been amended by section 43(1) of, and paragraph 15 of Part 1 of Schedule 5 to, the Transport Act 1980.

(d) S.I. 1962 795.

Duration of nominations

4. Subject to the provisions of Regulation 7 below—

(*a*) all nominations to a panel which would have ceased to have effect on 15th November 1980 under the provisions of Regulation 4(1) of the Regulations revoked by Regulation 2 above shall continue to have effect from that date until 31st March 1981; and

(*b*) all nominations to a panel made under the provisions of Regulation 5 below shall continue for a period of three years.

Nominations to panels

5.—(1) Each of the councils mentioned in section 121(4)(*b*) of the Act whose area, or part of whose area, falls within the traffic area in respect of which the panel from which the Minister shall appoint one traffic commissioner in accordance with section 121(4)(*b*) of the Act, may nominate one person to be a member of the panel.

(2) Each of the councils mentioned in section 121(4)(*c*) of the Act whose area, or part of whose area, falls within the traffic area in respect of which any panel from which the Minister shall appoint the third traffic commissioner in accordance with section 121(4)(*c*) of the Act may nominate one person, or two or more of those councils if such two or more of them so agree, may nominate one or more persons, to be a member of that panel.

Notifications of nominations

6. Subject to the provisions of Regulation 7 below the councils or, as the case may be, the group of councils who make any nomination to a panel in accordance with Regulation 5 above shall inform the Minister of the nomination:—

(i) on or before 31st December 1980 as regards nominations to take effect from 1st April 1981, and thereafter

(ii) on or before the thirty first day of December in any year in which new nominations are to take effect from the first day of April in the following year.

Substituted nominations

7.—(1) In the event of a person vacating a panel after the date on which these Regulations come into operation the council or, as the case may be, the group of councils which made the nomination may nominate to the panel another person in place of the person who has vacated the panel, and shall inform the Minister of such nomination.

(2) A person nominated to a panel in accordance with the provisions of paragraph (1) above shall continue to be a member of the panel until the date on which the person whom he replaces would have ceased to be a member of the panel had he not vacated it.

2nd July 1980.

Norman Fowler,
Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. Following the amendments to section 121 of the Road Traffic Act 1960 made by section 39 of the Transport Act 1980, these Regulations revoke the Traffic Commissioners (Nominations to Panels) Regulations 1962 No. 795 and make new provisions as to nominations to panels of persons from which appointments of persons to act as traffic commissioners may be made.

2. These Regulations provide for nominations which, under the 1962 Regulations, would have expired on 15th November 1980 to continue until 31st March 1981, and for nominations as from that date to continue for three years instead of the period of one year provided for by the 1962 Regulations (Regulation 4).

3. These Regulations also provide that—

(a) each of the County Councils, the Greater London Council and, in Scotland, regional or island councils whose area, or part of whose area, falls within the traffic area in respect of which the panel from which the Minister shall appoint one traffic commissioner many nominate one person to that panel, and

(b) each of the district Councils, London Borough Councils and the Common Council of the City of London whose area, or part of whose area falls within the traffic area in respect of which the Minister shall appoint the third traffic commissioner, may nominate one person or two or more of those councils if they so agree may nominate one person or more to that panel (Regulation 5).

4. Provision is also made for notification of nominations to panels (Regulation 6) and substituted nominations (Regulation 7).