Provided that the increase authorised to be made under the foregoing provisions of this Regulation shall in the case of—

(*a*) merchandise by merchandise train ; and

(*b*) perishable merchandise by passenger train or other similar service,

be subject to a maximum increase of 10s. per ton.

5. Nothing in these Regulations shall be taken to apply to any services or facilities in respect to which a charges scheme is in force.

In this Regulation the expression " charges scheme " has the same meaning as in section 76 of the Transport Act, 1947.

Given under the Official Seal of the Minister of Transport and Civil Aviation this twelfth day of February, 1954.

(L.S.)

Alan Lennox-Boyd,
The Minister of Transport and Civil Aviation.

EXPLANATORY NOTE

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

These Regulations amend the Railways (Additional Charges) Regulations, 1950, as amended by the Railways (Additional Charges) (Amendment) Regulations, 1951, the Railways (Additional Charges) (Amendment) (No. 2) Regulations, 1951, and the Railways (Additional Charges) (Amendment) Regulations, 1952, and authorise the British Transport Commission to make in connection with the conveyance of merchandise on their railways additional charges equal in amount to 10 per cent. of the charges for the time being in operation subject to a maximum increase of 10s. per ton in the case of merchandise by merchandise train and perishable merchandise by passenger train or other similar service.

INDEPENDENT UNDERTAKINGS

1954 No. 1614

The Transport Charges (Tramways and Trolley Vehicles) Regulations, 1954

Made - - - -	*3rd December,* 1954
Laid before Parliament	*6th December,* 1954
Coming into Operation	*7th December,* 1954

The Minister of Transport and Civil Aviation in exercise of the powers conferred upon him by paragraph 20 of the First Schedule to the Transport Charges Etc. (Miscellaneous Provisions) Act, 1954(a), and of all other powers him enabling in that behalf hereby makes the following Regulations: —

Commencement and citation

1. These Regulations shall come into operation on the seventh day of December, 1954, and may be cited as " The Transport Charges (Tramways and Trolley Vehicles) Regulations, 1954 ".

(a) 2 & 3 Eliz. 2. c. 64.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Act" means the Transport Charges Etc. (Miscellaneous Provisions) Act, 1954;

"the Licensing Authority" means the Licensing Authority for Public Service Vehicles for the appropriate traffic area;

"the Minister" means the Minister of Transport and Civil Aviation;

"Notices and Proceedings" means the statement issued by the Licensing Authority in accordance with Regulation 8 of these Regulations;

"reserved area" has the same meaning as in Part III of the Schedule;

"the Schedule" means the First Schedule to the Act;

"the undertakers" means the persons carrying on an independent undertaking providing services to which the Schedule applies.

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

Applications for authorisation

3.—(1) Every application to the Licensing Authority for an authorisation under Part II of the Schedule shall be made by the undertakers requiring the authorisation on a form to be obtained from the Licensing Authority on demand.

(2) Every such application shall be signed by a person duly authorised in that behalf by the undertakers.

(3) Every such application shall be sent to the Licensing Authority so as to reach them not less than eight weeks before the date on which it is desired that the authorisation shall come into effect.

Notices by Licensing Authority

4. Every notice by the Licensing Authority of their intention to give a direction under Part II of the Schedule shall be served by them on the undertakers providing the service to which the notice relates by sending the notice in a prepaid registered letter addressed to the undertakers at their usual place of business or registered office.

Applications for review

5.—(1) Every application to the Licensing Authority for a review under Part III of the Schedule shall be made by the local authority or person applying for the review on a form to be obtained from the Licensing Authority on demand.

(2) Every such application shall be signed by a person duly authorised in that behalf by the local authority or person on whose behalf the application is being made.

(3) At the same time as any such application is made notice of the making thereof shall be served by the local authority or person by whom the application is being made on the undertakers providing the service to which the application relates by sending a copy of the application in a prepaid registered letter addressed to the undertakers at their usual place of business or registered office.

(**a**) 52 & 53 Vict. c. 63.

Publication of applications and notices

6. Every application made under Part II and Part III of the Schedule and every notice given under Part II of the Schedule shall be published by the insertion by the Licensing Authority of a notification in Notices and Proceedings, as required by Regulation 8 of these Regulations, specifying the address or addresses at which a copy of the application or notice may be inspected free of charge by any person during normal office hours.

Inspection of applications and notices

7. A copy of every application made under Part II and Part III of the Schedule and of every notice given under Part II of the Schedule with respect to a service to which that Part of the Schedule applies shall, unless withdrawn before an authorisation or direction has been given in respect thereto, be available for inspection at the offices of the Licensing Authority until such time as a further authorisation or direction is given with respect to that service under the same Part of the Schedule or the service is discontinued.

Notices and Proceedings

8. The Licensing Authority shall cause to be issued as occasion may require a statement to be known as "Notices and Proceedings" which shall contain (unless previously notified therein)—

(*a*) notifications of applications received by them under Part II and Part III of the Schedule and of notices given by them under Part II of the Schedule, indicating in each case in general terms the scope of the application or notice, the serial numbers allotted to that application or notice and the address or addresses at which a copy thereof is available for inspection free of charge by any person during normal office hours;

(*b*) the dates (no date, unless for special reason the Licensing Authority otherwise determine, being within fourteen days of the date of issue of the statement) on which and the places at which they propose to hold public sittings to hear and determine such of those applications and notices as they consider should be heard at a public sitting, and the applications and notices they propose to hear at each sitting;

(*c*) their decisions on such applications or notices:

Provided that it shall be sufficient compliance with paragraph (*c*) of this Regulation in the case of any decision given with respect to any application under Part II or Part III of the Schedule or notice given under Part II of the Schedule for the statement to indicate, by reference to the published application or notice, that effect has been given to that application or notice or the extent to which effect has not been given to that application or notice. Copies of Notices and Proceedings may be inspected free of charge at the offices of any Licensing Authority and at such other places (if any) as may from time to time be notified and copies shall be supplied by the Licensing Authority by whom they were issued to any person requiring them at a price not exceeding one shilling for each copy.

Objections and representations

9. Every objection or other representation in respect of an application or notice under Part II of the Schedule or in respect of an application under Part III of the Schedule shall be in writing and shall state the specific grounds on which it is based. Every such objection or representation shall be sent to the Licensing Authority so as to reach them not

later than twenty-one days after notification of the application or notice has appeared in Notices and Proceedings. A copy of every such objection or representation shall be sent to the undertakers providing the service to which the application or notice relates at the same time as it is sent to the Licensing Authority. The Licensing Authority may at their discretion hear and consider any other objections or representations which may be advanced at any public sitting at which the application or notice is heard.

Adjournment of Sittings

10. Any application made or notice given under Part II or Part III of the Schedule in respect of which the Licensing Authority have published a notification in Notices and Proceedings of their proposal to hear at a public sitting on a certain date, may be heard by them at a public sitting on any subsequent date.

Appeals to the Minister

11.—(1) Every appeal to the Minister against any authorisation or direction given under Part II of the Schedule or against any direction given, or dismissal of an application made, under Part III of the Schedule shall be lodged with the Minister at the principal office of the Ministry of Transport and Civil Aviation not later than one month after the date of the publication of the issue of Notices and Proceedings in which the authorisation, direction or dismissal appealed against is published.

(2) Every such appeal shall be in writing, shall indicate, by reference to the name of the undertakers and the serial number allotted by the Licensing Authority to the application or notice, the authorisation or direction given under Part II or Part III of the Schedule or dismissal of the application made under Part III of the Schedule, at which the appellant is aggrieved and shall state the grounds on which the appeal is made. A copy of the appeal shall be sent at the same time as the appeal is sent to the Minister, or as soon as may be thereafter—

(*a*) to the Licensing Authority, and

(*b*) in the case of an appeal by the undertakers, to every person who lodged an objection or other representation in respect of the application made or notice given under Part II or Part III of the Schedule, or whose objection or representation was heard by the Licensing Authority at the public sitting at which the application or notice was heard, or

(*c*) in the case of an appeal by any other person, to the undertakers.

Given under the Official Seal of the Minister of Transport and Civil Aviation this third day of December, 1954.

(L.S.) *John Boyd-Carpenter,*
The Minister of Transport and Civil Aviation.

EXPLANATORY NOTE

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

The powers and duties of the Licensing Authority for Public Service Vehicles with respect to charges on independent tramways, trolley vehicles and railways of the nature of a tramway are set out in the First Schedule to the Transport Charges Etc. (Miscellaneous Provisions) Act, 1954.

These Regulations prescribe the procedure to be followed in connection with—

(*a*) applications to, and notices given by, the Licensing Authority under the said First Schedule ;

(*b*) the publication of such applications and notices and of the decisions of the Licensing Authority thereon ; and

(*c*) appeals to the Minister of Transport and Civil Aviation from the decisions of the Licensing Authority.

TRIBUNAL

1954 No. 103

The Transport Tribunal Rules, 1954

Made - - - - 13*th January*, 1954
Coming into Operation 22*nd February*, 1954

The Transport Tribunal, with the approval of the Lord Chancellor, the Lord President of the Court of Session and the Minister of Transport and Civil Aviation, in exercise of the powers conferred upon them by section 22 of the Railways Act, 1921(**a**), the Tenth Schedule to the Transport Act, 1947(**b**), and section 20 (3) of the Transport Act, 1953(**c**), and of all other powers them enabling, hereby make the following Rules.

1. These Rules may be cited as the Transport Tribunal Rules, 1954, and shall come into operation on the 22nd day of February, 1954.

2. These Rules shall be construed as one with the Transport Tribunal Rules, 1949(**d**).

3. The Commission may at any time while they are in the course of preparing a charges scheme submit to the Court by Notice of Motion—

(1) provisional proposals as respects any of the matters which will or may fall to be dealt with under the scheme ;

(2) a request for guidance on any question of principle affecting the scheme.

4. The Commission shall when submitting any proposal or request under Rule 3 of these Rules lodge with the Registrar an ex parte summons for directions—

(1) as to the manner in which the proposal or request and any directions given on the hearing of the summons shall be published ;

(2) as to the bodies by which objections or other representations with respect to the proposal or request may be made ;

(3) as to the time within which and the manner in which any objection or other representation may be lodged ;

(4) as to the holding of an inquiry with respect to the proposal or request.

5. The Court or Registrar may upon the hearing of any summons under Rule 4 of these Rules give any directions that appear to be expedient.

6. As soon as may be after the time for lodging objections and other representations has elapsed the Court shall hold any such inquiry as may be prescribed by any directions given under Rule 5 of these Rules and shall at

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(**a**) 11 & 12 Geo. 5. c. 55.
(**b**) 10 & 11 Geo. 6. c. 49.
(**c**) 1 & 2 Eliz. 2. c. 13.
(**d**) S.I. 1949/989 (1949 I, p. 2844).