Public Passenger Vehicles Act 1981

1981 CHAPTER 14

PART IV

MODIFICATION OF REQUIREMENTS OF PARTS II AND III IN RELATION TO CERTAIN VEHICLES AND AREAS

Use of certain vehicles by educational and other bodies

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(1) If a small passenger-carrying vehicle is used for carrying passengers for hire or reward, it shall nevertheless be treated as not being a public service vehicle if and so long as—

(a) the vehicle is specified in a permit under this section; and

(b) the vehicle is being used neither for the carriage of members of the public at large nor with a view to profit nor incidentally to an activity which is itself carried on with a view to profit; and

(c) the use of the vehicle is by the body to whom the permit was granted and in every respect in accordance with the conditions of the permit.

(2) If a large passenger-carrying vehicle is used for carrying passengers for hire or reward, then, if and so long as the conditions set out in paragraphs (a) to (c) of subsection (1) above are satisfied, sections 12(1), 22 and 30 of this Act and section 23(2) of the Transport (London) Act 1969 (restrictions on provision of London bus services) shall not apply to the driving or use of the vehicle.

(3) Permits under this section may be granted—

(a) in the case of small passenger-carrying vehicles, by the traffic commissioners for the traffic area in which the vehicle concerned is ordinarily kept to any body appearing to them to be concerned with education, with religion, with social welfare or with other activities for the benefit of the community; and

(b) in the case of small or large passenger-carrying vehicles, by a body designated in an order under subsection (4) below either to itself or to any other body to whom, in accordance with the order, it is entitled to issue a permit;

but in the exercise of their discretion under this subsection traffic commissioners shall have regard to any directions (whether of a general or specific character) given to them by the Secretary of State.

(4) The Secretary of State may by order designate for the purpose of this section bodies appearing to him to be concerned with education, with religion, with social welfare or with other activities for the benefit of the community and, with respect to any body designated by it, any such order—

(a) shall specify the classes of bodies to whom the designated body may grant permits under this section;

(b) may impose restrictions with respect to the grant of permits by the designated body and, in particular, may provide that no permit may be granted, either generally or in such cases as may be specified in the order, unless the permit contains such conditions as may be so specified; and

(c) may require the designated body to make returns with regard to the permits granted by it.

(5) Different provision may be made by orders under subsection (4) above in relation to large passenger-carrying vehicles from that made in relation to small passenger-carrying vehicles.

(6) The power to make an order under subsection (4) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(7) In this section and in the next two following sections—

" body " means a body of persons, whether corporate or unincorporate ;

" large passenger-carrying vehicle " means a vehicle which is adapted to carry more than sixteen passengers ;

" small passenger-carrying vehicle " means a vehicle which is adapted to carry more than eight but not more than sixteen passengers;

and any reference to a vehicle being used for carrying passengers for hire or reward shall be construed in accordance with section 1(5) of this Act.