

## SCHEDULES

### SCHEDULE 1

Section 4(2).

#### RELAXATIONS OF ROAD TRAFFIC AND TRANSPORT LAW PERMISSIBLE UNDER SECTION 4(2)

- 1 (1) A person acting under and in accordance with a general or special authority granted by the Secretary of State under section 4(2) of this Act may use, or cause or permit the use of, any vehicle on a road as a stage carriage, an express carriage or a contract carriage—
  - (a) without a licence, permit, agreement or consent otherwise required; and
  - (b) notwithstanding that the vehicle does not comply with regulations.
- (2) The regulations here referred to are those made under section 160 of the Road Traffic Act 1960 (general regulations relating to public service vehicles), or such of the regulations made under section 40 of the Road Traffic Act 1972 (construction and use of motor vehicles and their equipment) as apply to a vehicle used as mentioned in this paragraph and do not apply to a vehicle not so used.
- 2 A person acting under and in accordance with such an authority may—
  - (a) drive or act as conductor of a public service vehicle without being licensed to do so under section 144 of the Road Traffic Act 1960 ; or
  - (b) employ a person not so licensed to drive or act as conductor of any such vehicle.
- 3 A person acting under and in accordance with such an authority may, to such extent and in accordance with such conditions as may be specified in the authority, act, or cause or permit another person to act, as the driver of a vehicle without complying with the requirements of section 96(1) to (6) of the Transport Act 1968 (as for the time being in force).
- 4 (1) A person charged under section 143 of the Road Traffic Act 1972 with the offence of using, or causing or permitting the use, of a motor vehicle so as to contravene that section (driving uninsured) may prove as a defence that the vehicle was being used by authority of the Secretary of State under section 4(2) of this Act and that—
  - (a) it was at the material time the subject of insurance or security complying with Part VI of the 1972 Act; and
  - (b) pursuant to arrangements made by or with the Secretary of State for the purposes of section 4(2), the insurance or security is treated as extending to its use on that occasion.
- (2) A person charged under section 162 or 166 of the Road Traffic Act 1972 with an offence of failing to produce the relevant certificate of insurance or certificate of security within the meaning of Part VI of that Act may prove as a defence that the vehicle was being used by authority of the Secretary of State under section 4(2) of this Act and that—
  - (a) he produced a certificate of insurance or certificate of security complying with Part VI of that Act; and

***Status:*** *This is the original version (as it was originally enacted).*

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- (b) pursuant to arrangements made by or with the Secretary of State for the purposes of section 4(2), the insurance or security to which the certificate relates is treated as extending to the use in question.