



Public Passenger Vehicles Act 1981

1981 CHAPTER 14

PART I

PRELIMINARY

Traffic Areas and Traffic Commissioners

3 Traffic areas

- (1) For the purposes of this Act Great Britain shall be divided into the Metropolitan, Northern, Yorkshire, North-western, West Midland, East Midland, Eastern, South Wales, Western, South-Eastern and Scottish Traffic Areas.
- (2) The Secretary of State may from time to time by order vary the provisions of this Act constituting traffic areas, either by altering the limits of an existing traffic area or by increasing or reducing the number of traffic areas or otherwise as he may think fit.
- (3) An order under this section for varying the number or limits of traffic areas may contain such consequential and incidental provisions, including provisions—
 - (a) as to the effect of licences previously issued, and consents previously given, by the traffic commissioners for any traffic area abolished or otherwise affected;
 - (b) as to the effect of applications for licences or consents previously made to any such traffic commissioners, as to the traffic commissioners to whom applications relating to any such area may be made between the date of the order and the date as from which the abolition of, or other change in, the area is to have effect, and as to the traffic commissioners by whom and the places at which any such application may be heard, either before or after the last mentioned date;
 - (c) as to the continuance of appeals pending against decisions of the traffic commissioners for any traffic area abolished or otherwise affected; and
 - (d) as to the recovery of any sums due, at the date as from which a traffic area is abolished, to the traffic commissioners for that area,

as appear to the Secretary of State to be necessary or expedient in consequence of the variations of areas to be affected by the order.

- (4) The power to make orders conferred by this section shall be exercisable by statutory instrument which shall be laid before Parliament after being made, and an order under this section shall not have effect unless and until it has been approved by a resolution of each House of Parliament.

4 Traffic commissioners

- (1) For each traffic area constituted for the purposes of this Act there shall be a body of three commissioners, to be known as traffic commissioners for the area, who shall have the power and be charged with the duty of issuing licences under this Act and shall exercise such other powers and perform such other duties as are conferred or imposed on them by or in pursuance of this Act.
- (2) Without prejudice to section 62(1) of this Act, subsection (1) above shall not operate to confer on the traffic commissioners for the Metropolitan Traffic Area powers and duties as regards licences to drive public service vehicles.
- (3) Subject to the provisions of this Act, the traffic commissioners shall act under the general directions of the Secretary of State.
- (4) Except where the context otherwise requires, in this Act " the traffic commissioners" means the traffic commissioners for any traffic area constituted for the purposes of this Act.

5 Appointment and terms of service of traffic commissioners

- (1) The traffic commissioners shall be appointed by the Secretary of State.
- (2) Where the Secretary of State proposes to appoint a person to be one of the traffic commissioners he shall, before making the appointment, require the person whom he proposes to appoint to declare if he has any, and if so what, financial interest in any transport undertaking which carries passengers.
- (3) Of the three traffic commissioners for any traffic area—
 - (a) one shall be such person as the Secretary of State thinks fit to appoint to be chairman of the commissioners;
 - (b) one shall be appointed by the Secretary of State from a panel of persons nominated by such of the following councils, namely in England and Wales county councils and the Greater London Council and in Scotland regional or islands councils, as are councils whose area is wholly or partly comprised in the traffic area; and
 - (c) the third shall be appointed by the Secretary of State from a panel of persons nominated by such of the following councils, namely in England and Wales district councils, London borough councils and the Common Council of the City of London and in Scotland district councils, as are councils whose area is wholly or partly comprised in the traffic area.
- (4) Provision shall be made by regulations as to the arrangements for constituting the panels mentioned in subsection (3) above.

- (5) The chairman of the traffic commissioners shall hold office during Her Majesty's pleasure, and shall be required to devote the whole of his time to the duties of his office.
- (6) The chairman of the traffic commissioners shall vacate his office on attaining the age of seventy.
- (7) The provisions of Schedule 2 to this Act shall have effect with respect to the traffic commissioners.