

Changes to legislation: Public Passenger Vehicles Act 1981, Cross Heading: Professional competence is up to date with all changes known to be in force on or before 07 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

SUPPLEMENTARY PROVISION AS TO QUALIFICATIONS FOR PSV OPERATOR’S LICENCE

Professional competence

- 3 References in Part II of this Act to professional competence are to the professional competence of an individual; and a company satisfies the requirement as to professional competence if, and so long as, [^{F1}it has a transport manager or transport managers of its road transport business who, or each of whom, is of good repute and professionally competent].

Textual Amendments

- F1** Words substituted by [S.I. 1990/1851, reg. 2\(1\)\(2\)](#), [Sch. para. 3](#)

Modifications etc. (not altering text)

- C1** Sch. 3 para 3 amended by [S.I. 1986/1628, reg. 5\(1\)](#), [Sch.](#)

- 4 Where an individual is not himself professionally competent, the requirement as to professional competence shall be regarded as satisfied in relation to him if, and so long as, he has a transport manager of his road passenger transport business who is of good repute and professionally competent.

^{F25}

Textual Amendments

- F2** Sch. 3 para. 5 omitted (4.12.2011) by virtue of [The Road Transport Operator Regulations 2011 \(S.I. 2011/2632\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 11\(3\)](#) (with [Sch. 3 Pt. 1](#))

Modifications etc. (not altering text)

- C2** Sch. 3 para. 5 modified by [S.I. 1981/1628, Sch. 1 Pt. 1](#) (as amended (5.10.2017) by [The Operation of Public Service Vehicles \(Partnership\) \(Amendment\) Regulations 2017 \(S.I. 2017/873\)](#), [regs. 1\(1\)](#), [6\(6\)](#))

- 6 [^{F3}(1)] ^{F4}... an individual shall be regarded as professionally competent for the purposes of Part II of this Act if, and only if,—
- [^{F5}(a) he has demonstrated that he possesses the requisite skills by passing a written examination organised by an approved body and is the holder of a certificate to that effect issued by that body; or]
 - (b) he is the holder of any other certificate of competence, diploma or other qualification recognised for the purposes of this paragraph by the Secretary of State.

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- [^{F6}(1A) The approved body may exempt an individual from certain parts of the examination mentioned in sub-paragraph (1)(a) if the individual is the holder of a certificate of competence, diploma or other qualification which covers those parts and which is recognised for the purposes of this sub-paragraph by the Secretary of State.]
- [^{F7}(2) The written examination mentioned in sub-paragraph (1)(a) may be supplemented by an oral examination organised by the approved body in the form set out in Annex I to [^{F8}the 2009 Regulation].
- (3) The certificate mentioned in sub-paragraph (1)(a) must take the form of the certificate set out in [^{F9}Annex III to that Regulation and must have security features in compliance with Annex II to that Regulation].]

Textual Amendments

- F3** Sch. 3 para. 6 renumbered as Sch. 3 para. 6(1) (1.10.1999) by S.I. 1999/2431, **reg. 4(2)** (with **reg. 6(3)**)
- F4** Words in Sch. 3 para. 6(1) omitted (4.12.2011) by virtue of **The Road Transport Operator Regulations 2011 (S.I. 2011/2632)**, **reg. 1(1)**, **Sch. 1 para. 11(4)(a)** (with Sch. 3 Pt. 1)
- F5** Sch. 3 para. 6(1)(a) substituted (1.10.1999) by S.I.1999/2431, **reg. 4(1)** (with **reg. 6(3)**)
- F6** Sch. 3 para. 6(1A) inserted (4.12.2011) by **The Road Transport Operator Regulations 2011 (S.I. 2011/2632)**, **reg. 1(1)**, **Sch. 1 para. 11(4)(b)** (with Sch. 3 Pt. 1)
- F7** Sch. 3 para. 6(2)(3) inserted (1.10.1999) by S.I. 1999/2431, **reg. 4(2)** (with **reg. 6(3)**)
- F8** Words in Sch. 3 para. 6(2) substituted (4.12.2011) by **The Road Transport Operator Regulations 2011 (S.I. 2011/2632)**, **reg. 1(1)**, **Sch. 1 para. 11(4)(c)** (with Sch. 3 Pt. 1)
- F9** Words in Sch. 3 para. 6(3) substituted (4.12.2011) by **The Road Transport Operator Regulations 2011 (S.I. 2011/2632)**, **reg. 1(1)**, **Sch. 1 para. 11(4)(d)** (with Sch. 3 Pt. 1)

- [^{F107} (1) In paragraph 6 above—
- (a) “approved body” means—
- (i) a body approved by the Secretary of State for the purposes of that paragraph; or
- (ii) a body approved by the Department of the Environment for Northern Ireland for the purposes of section 46D(1)(b) of the Transport Act (Northern Ireland) 1967; or
- (iii) a body or authority designated by a member State for the purposes of Article 8.3 of the 2009 Regulation (EU);
- (b) “the requisite skills” means knowledge corresponding to the level of training, for either national or international transport operations as the case may be, provided for in Annex I to the 2009 Regulation in the subjects there listed.
- (2) In the case of an examination organised or a certificate issued by an approved body specified in sub-paragraph (1)(a)(iii), references to the 2009 Regulation in sub-paragraph (1)(b) and paragraphs 6(2) and (3) are references to the 2009 Regulation (EU).]

Textual Amendments

- F10** Sch. 3 para. 7 substituted (31.12.2020) by **The Common Rules for Access to the International Market for Coach and Bus Services (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/741)**, **regs. 1(2)**, **2(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 51(1A)(1B) inserted by 1982 c. 49 s. 21(4)(b)