



Transport Act 1981

1981 CHAPTER 56

PART I

SUBSIDIARY ACTIVITIES OF BRITISH RAILWAYS BOARD

1 Railways Board's powers of disposal

- (1) Without prejudice to any powers conferred on them by any other enactment, the Railways Board shall have power to provide for the disposal, in such manner as they think fit, of—
 - (a) any securities of one of their subsidiaries which are held by the Board or by another of their subsidiaries ; or
 - (b) the whole or any part of the undertaking of, or of any property, rights or liabilities of, any of their subsidiaries.
- (2) The Board shall not exercise their powers under subsection (1)(a) above except with the consent of the Secretary of State.
- (3) For the purpose of facilitating the eventual disposal under this section of any part of their undertaking or of any property, rights or liabilities the Board may exercise their powers to establish subsidiaries and to transfer property, rights and liabilities to subsidiaries under section 7 of the Transport Act 1968, notwithstanding any provision of any enactment which may be taken to limit the circumstances in which, or the purposes for which, those powers may be exercised.
- (4) In exercising their powers under this section the Board may, with the consent of the Secretary of State, provide for employees' share schemes to be established in respect of any of their subsidiaries; and any such scheme may provide for the transfer of shares without consideration.
- (5) In this section " employees' share schemes" means schemes for encouraging or facilitating the holding of shares or debentures in a company by or for the benefit of—
 - (a) the bona fide employees or former employees of the company or of a subsidiary of the company; or

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- (b) the wives, husbands, widows, widowers or children or step-children under the age of 18 of such employees or former employees.

2 The new harbours company

- (1) The Railways Board shall secure that—
 - (a) a company (the "harbours company") limited by shares, the objects of which include the acquisition of property, rights and liabilities in accordance with the provisions of this Part, is formed by Sealink and registered under the Companies Act 1948 before the expiry of the initial period ; and
 - (b) the harbours undertaking of Sealink is transferred to the harbours company.
- (2) For the purposes of this section the harbours undertaking of Sealink shall be taken to be—
 - (a) all the property, rights and liabilities comprised in that part of Sealink's undertaking which consists of the following harbours—
 Folkestone, Harwich, Heysham, Holyhead, New-haven, Parkeston Quay, Stranraer, Gravesend West Station Pier, Tilbury Floating Landing Stage, Ryde Pier, Lymington Pier, New Holland Pier, Fishbourne and Portsmouth Harbour Railway Jetty ; and
 - (b) the securities of the Fishguard and Rosslare Railways and Harbours Company held by Sealink.
- (3) In consideration of the transfer of property, rights and liabilities in accordance with this section the harbours company shall issue securities of the company to Sealink.
- (4) Sealink shall make, and before the expiry of the initial period send to the Secretary of State, a scheme for the transfer to the harbours company of all the property, rights and liabilities which are required by this section to be so transferred.
- (5) The scheme may contain such supplementary, incidental and consequential provision as may appear to Sealink to be necessary or expedient.
- (6) The scheme shall not come into force unless it has been approved by the Secretary of State or until such date as the Secretary of State may, in giving his approval, specify ; and the Secretary of State may approve a scheme either without modifications or with such modifications as, after consultation with Sealink, he thinks fit.
- (7) On the coming into force of the scheme the property, rights and liabilities in question shall, subject to subsection (8) below, be transferred and vest in accordance with the scheme.
- (8) Schedule 4 to the Transport Act 1968 (supplementary provisions as to certain transfers of property, rights and liabilities) shall apply in relation to the scheme as it applies in relation to any scheme made under section 7 of that Act.

3 Power of Secretary of State to give directions

- (1) The Secretary of State may, after consultation with the Railways Board, give directions to the Board requiring them—
 - (a) to exercise their powers under section 1 of this Act in a specified manner and in relation to a specified subsidiary;

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- (b) to establish a subsidiary and exercise their powers under section 7 of the Transport Act 1968 (transfer of property, rights and liabilities to subsidiaries) in a specified manner.
- (2) It shall be the duty of the Board (notwithstanding any duty imposed on them by section 3(1) of the Transport Act 1962) to give effect to any directions given under this section.
- (3) In this section " specified " means specified in directions given by the Secretary of State under this section.
- (4) Any directions under this section shall be given in writing.
- (5) In section 4(5) of the Railways Act 1974 (duty of Board to include certain information in the annual report made under section 4), after the words " 1962 Act", in paragraph (b), there are inserted the words " section 3 of the Transport Act 1981 ".

4 Provisions supplementary to ss. 1 to 3

- (1) Schedule 1 to this Act has effect for the purpose of making certain provisions supplementing sections 1 to 3 of this Act.
- (2) In this Part of this Act—
 - " harbours company " has the meaning given in section 2(1)(a);
 - " initial period " means the period of three months beginning with the commencement of this Part;
 - " Railways Board " means the British Railways Board ;
 - " Sealink " means Sealink U.K. Limited;
 - " securities " includes shares, debentures, debenture stock, bonds and other securities of the company concerned, whether or not constituting a charge on the assets of the company;
 - " subsidiary " means a subsidiary as defined in section 154 of the Companies Act 1948.

PART II

RECONSTITUTION OF BRITISH TRANSPORT DOCKS BOARD

5 Associated British Ports and its Holding Company

- (1) As from the appointed day, the British Transport Docks Board shall be known as Associated British Ports and the following provisions of this Part have effect with respect to the constitution, powers and duties of that body.
- (2) As from the appointed day, a company (referred to in this Part as " the Holding Company") shall have the powers in relation to Associated British Ports conferred on it by the following provisions of this Part, being powers corresponding to the powers of a holding company over a wholly-owned subsidiary; and for the purposes of any enactment Associated British Ports shall be deemed to be such a subsidiary of the Holding Company.
- (3) The Secretary of State shall by order made by statutory instrument taking effect on the appointed day designate as the Holding Company a company limited by shares,

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formed and registered under the Companies Act 1948, in which all the issued shares are held by the Secretary of State or by nominees for him.

- (4) In this Part the "appointed day" means such day as the Secretary of State may, with the consent of the Treasury, appoint for the purposes of this section by order made by statutory instrument.

6 The financial structure

- (1) The commencing capital debt of Associated British Ports and any liability of Associated British Ports in respect of sums borrowed from the Secretary of State are extinguished as from the appointed day.
- (2) On the appointed day—
- (a) Associated British Ports shall issue to the Holding Company such securities, and pay to the Holding Company such sum of money, as the Secretary of State may direct; and
 - (b) the Holding Company shall issue to the Secretary of State or, if he so directs, to nominees for him such shares and securities of the company, and shall pay to him such sum of money, as he may direct.
- (3) Shares issued in pursuance of subsection (2)(b) shall be of such nominal value and shall be deemed to have been issued for such consideration as the Secretary of State may direct.
- (4) The Secretary of State may give directions as to the manner in which the various matters provided for by the preceding provisions of this section are to be dealt with in the accounts of Associated British Ports and the Holding Company for the period beginning with or including the appointed day.
- (5) In ascertaining for the purposes of section 39 of the Companies Act 1980 the profits of the Holding Company which are available for distribution, any amount which by virtue of the Secretary of State's direction is to be treated as a revenue reserve of the company shall be treated as accumulated, realised profits of the company.
- (6) In ascertaining for the purposes of section 56 of the Companies Act 1948 what amount falls to be treated as a premium received on the issues of shares by the Holding Company in pursuance of subsection (2)(b), the amount which in accordance with the Secretary of State's direction is to be deemed to be the consideration for the issue shall be taken to be reduced by such amount as the Secretary of State may direct to be treated as a revenue reserve of the company.
- (7) The Secretary of State shall not give any directions for the purposes of this section without the consent of the Treasury, and shares or securities of the Holding Company held by the Secretary of State or by nominees for him shall not be disposed of except with the consent of the Treasury and in such manner and on such terms as the Treasury may direct.
- (8) There shall be paid into the Consolidated Fund—
- (a) any sum paid to the Secretary of State by the Holding Company under subsection (2)(b);
 - (b) any dividends or other sums received by the Secretary of State or his nominees in right of, on the disposal of or otherwise in connection with any shares or securities of the Holding Company.

- (9) Directions given by the Secretary of State under this section to Associated British Ports or the Holding Company shall be in writing.
- (10) The first report prepared by the directors of the Holding Company under section 157 of the Companies Act 1948 after the appointed day shall contain a statement of every direction given by the Secretary of State under this section.

7 Constitution of Associated British Ports, etc.

- (1) Associated British Ports continues to be a body corporate.
- (2) The members of Associated British Ports shall be known as directors.
- (3) The number of directors of Associated British Ports shall be determined by the Holding Company from time to time, but shall not be less than five or more than thirteen.
- (4) The directors of Associated British Ports shall be appointed by the Holding Company for such period as the Holding Company may determine but, without prejudice to any claim for damages for breach of contract, may be removed by the Holding Company at any time.
- (5) The provisions of Schedule 2 have effect with respect to the constitution and proceedings of Associated British Ports and related matters.

8 Powers of Associated British Ports

- (1) The provisions of Schedule 3 have effect with respect to the powers of Associated British Ports.
- (2) In favour of a person dealing in good faith with Associated British Ports, any transaction decided on by the directors of Associated British Ports shall be deemed to be one which it is within the capacity of Associated British Ports to enter into and the power of the directors shall be deemed to be free of any limitation imposed by or by virtue of any provision of this Part.
- (3) A person dealing with Associated British Ports is not bound to enquire as to the capacity of Associated British Ports to enter into a transaction or as to any such limitation on the powers of the directors as is mentioned in subsection (2), and shall be presumed to have acted in good faith unless the contrary is proved.
- (4) Associated British Ports shall exercise its control over its subsidiaries so as to ensure that they do not engage in activities which Associated British Ports itself has no power to engage in.

9 General duties of Associated British Ports

- (1) It is the duty of Associated British Ports to provide port facilities at its harbours to such extent as it may think expedient.
- (2) Associated British Ports shall have due regard to efficiency, economy and safety of operation as respects the services and facilities provided by it and its subsidiaries.
- (3) In the performance of its functions Associated British Ports shall have regard to the interests in general of its employees and the employees of its subsidiaries.

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- (4) This section does not impose any form of duty or liability enforceable, either directly or indirectly, by proceedings before any court.

10 Provisions of the Companies Acts applying to Associated British Ports

- (1) The provisions of the Companies Acts 1948 to 1980 mentioned in subsection (2) apply to Associated British Ports, subject to the adaptations specified in subsection (3), as if Associated British Ports were a public company registered in England and Wales under the Companies Act 1948 and as if the directors of Associated British Ports were the directors of such a company ; and the supplementary provisions of those Acts relating to the interpretation, operation and enforcement of those provisions apply accordingly.
- (2) The provisions referred to in subsection (1) are the following—

Subject-matter	Provisions applied
1. Financial assistance for purchase of shares, &c.	Companies Act 1948, section 54.
2. Register of charges.	Companies Act 1948, sections 104 and 105.
3. Accounts and audit.	Companies Act 1948, sections 149 to 156, 158(2), 161, 163, 196, 454(1) and Schedule 8; Companies Act 1967, sections 3 to 8, 11, 13 and 14 (except subsections (2) and (7)); Companies Act 1976, sections 1 to 6, 12, 13, 18 and 19; Companies Act 1980, sections 54 to 56, 58 and 59.
4. Directors' report.	Companies Act 1948, section 157; Companies Act 1967, sections 15 to 20 and 22.
5. Disclosure by directors of interests in contracts, &c.	Companies Act 1948, section 199.
6. Power of Court to give relief in certain cases.	Companies Act 1948, section 448.
7. Restrictions on distributions.	Companies Act 1980, sections 39, 40 and 43.

- (3) The provisions mentioned in subsection (2) apply to Associated British Ports with the following adaptations—
- (a) any reference to the date of incorporation of Associated British Ports shall be construed as a reference to the appointed day;
 - (b) any reference to the registered office of Associated British Ports shall be construed as a reference to its principal office;
 - (c) any reference to the members of Associated British Ports shall be construed as a reference to the Holding Company and any reference to shares in Associated British Ports shall be disregarded ;

- (d) documents required to be laid before Associated British Ports in general meeting shall instead be sent to the Holding Company, and any reference to documents so laid shall be construed accordingly.
- (4) The Secretary of State may by regulations make such amendments of subsections (1) to (3) as appear to him necessary or expedient in consequence of changes in company law coming into force after the passing of this Act.
- (5) Regulations under subsection (4) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

11 Payments to Holding Company out of profits of Associated British Ports

- (1) The directors of Associated British Ports shall from time to time pay to the Holding Company such sums as appear to them to be justified by the profits of Associated British Ports.
- (2) For the purpose of sections 39 and 40 of the Companies Act 1980 (restrictions on distributions) such payments by Associated British Ports are distributions.
- (3) For the purpose of the said section 40 (restriction on extent to which distributions may reduce a company's net assets) the undistributable reserves of Associated British Ports include—
 - (a) any capital reserve arising from the capital debts extinguished by section 6(1);
 - (b) any reserve arising from payments made by the Holding Company on terms that the amount paid form part of Associated British Ports' undistributable reserves.
- (4) In section 157(1) of the Companies Act 1948 (directors' report) as it applies to Associated British Ports the reference to the amount recommended by the directors to be paid by way of dividend shall be construed as a reference to the amount proposed by them to be paid to the Holding Company under subsection (1).

12 Documents to be kept available for inspection, 13. Transfer of functions of Holding Company

- (1) Associated British Ports shall keep at its principal office—
 - (a) a copy of any rules for the time being prescribed by the Holding Company under paragraph 4 of Schedule 2 with respect to the proceedings of the directors of Associated British Ports;
 - (b) a statement of the limit for the time being set by the Holding Company under paragraph 21(5) of Schedule 3 on the aggregate amount of borrowing and guarantees by Associated British Ports and its subsidiaries; and
 - (c) a statement of any restrictions for the time being imposed by the Holding Company under paragraph 22 of that Schedule on the financial arrangements which may be entered into by Associated British Ports and its subsidiaries;and those documents shall, during normal business hours, be made available for inspection by any person on request.
- (2) It is an offence for Associated British Ports to fail to comply with a request under subsection (1).
- (3) An offence under subsection (2) is punishable on summary conviction with a fine not exceeding £200.

13 Transfer of functions of Holding Company.

- (1) The Holding Company may nominate another company to be Holding Company in its place and, subject to subsection (2), the provisions of this Part thenceforth have effect as if references to the Holding Company were references to the nominated company.
- (2) A nomination under this section does not affect references to the Holding Company in section 6, this subsection and paragraphs 4, 7(1) and (4) and 8 of Schedule 4 ; and those references remain references to the company designated under section 5(3).
- (3) A nomination under this section does not affect the validity of anything done before the nomination takes effect by or in relation to the company making the nomination, and anything which when the nomination takes effect is in process of being done by or in relation to that company may, if it relates to any functions transferred by virtue of the nomination, be continued by or in relation to the company nominated.
- (4) Any appointment or rule made, limit set, restriction imposed, or other thing done by or on behalf of a company making a nomination under this section in connection with any functions transferred by virtue of the nomination shall, if in force when the nomination takes effect, have effect as if made, set, imposed or done by or on behalf of the nominated company so far as that is required for continuing its effect after the nomination takes effect.
- (5) A company may not be nominated under this section unless it is controlled by the company designated under section 5(3); and if a company so nominated ceases to be so controlled—
 - (a) its functions as Holding Company cease to be exerciseable except for the power conferred by this section ; and
 - (b) it shall forthwith nominate under this section the company designated under section 5(3) or a company controlled by that company.
- (6) In this section " company " means a company limited by shares which is formed and registered under the Companies Act 1948; and for the purposes of this section a company is controlled by another company if, and only if, all the issued voting shares in the company are held by that other company or by a company controlled by that other company.

14 Provisions supplementary to ss. 5 to 13

- (1) The provisions of Part I of Schedule 4, being provisions supplementary to or consequential on the other provisions of this Part, have effect as from the appointed day.
- (2) The other provisions of this Part have effect subject to the transitional provisions and savings contained in Part II of that Schedule.
- (3) In this Part—
 - " the appointed day " has the meaning given by section 5(4);
 - " enactment" means any provision of a public general Act, of a local, private or personal Act, of a provisional order confirmed by an Act or any regulations, order, scheme, byelaws or similar instrument made under an Act;
 - " harbour " has the same meaning as in the Harbours Act 1964;
 - "the Holding Company", subject to section 13(1), means the company designated by the Secretary of State under section 5(3);

" pension", in relation to a person, means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions to a pension fund, with or without interest thereon or any other addition thereto and any sums payable on or in respect of the death of that person;

" pension fund " means a fund established for the purposes of paying pensions;

" pension scheme " includes any form of arrangement for the payment of pensions, whether subsisting by virtue of an Act of Parliament, trust, contract or otherwise ;

" port facilities " means—

- (a) the constructing, improving, maintaining, regulating, managing, marking or lighting of a harbour or any part thereof ;
- (b) the berthing, towing, moving or dry-docking of a ship which is in, or is about to enter, or has recently left, a harbour;
- (c) the loading or unloading of goods, or embarking or disembarking of passengers, in or from any such ship;
- (d) the lighterage or the sorting, weighing, warehousing or handling of goods in a harbour; and
- (e) the movement of goods within a harbour;

" shares " includes stock;

" securities", in relation to a body corporate, includes debentures, debenture stock, bonds and other securities of the body corporate, whether or not constituting a charge on the assets of that body ;

" subsidiary " means a subsidiary as defined in section 154 of the Companies Act 1948 ;

" wholly-owned subsidiary " means a subsidiary all the issued shares of which are beneficially owned by the body of which it is a subsidiary, or by one or more other wholly-owned subsidiaries of that body, or partly by that body and partly by any wholly-owned subsidiary of that body.

- (4) References in this Part to Associated British Ports' business or undertaking include any business or undertaking carried on by a subsidiary of Associated British Ports.
- (5) References in this Part to Associated British Ports' harbours include any harbour for the time being owned or managed by Associated British Ports or by any of its subsidiaries.

PART III

DISSOLUTION OF NATIONAL PORTS COUNCIL AND AMENDMENT OF THE HARBOURS ACT 1964

15 Dissolution of National Ports Council

- (1) On such day as the Secretary of State may appoint by order made by statutory instrument the functions of the National Ports Council shall determine, and—
 - (a) so much of any enactment as requires any person to consult, or do anything else in relation to, the Council, or makes consultation with, or the doing of anything else in relation to, the Council a condition precedent to the taking of any action by any person, shall cease to have effect; and

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- (b) all the property, rights, liabilities and obligations which immediately before the appointed day were property, rights, liabilities and obligations of the Council shall, by virtue of this section, become property, rights, liabilities and obligations of the Secretary of State.
- (2) Subsection (1) has effect subject to Part I of Schedule 5 which contains further provisions relating to the dissolution of the Council.
- (3) The Secretary of State shall repay to the National Loans Fund an amount equal to the debts of the Council to the Secretary of State outstanding immediately before the appointed day.
- (4) Sums received by the Secretary of State by virtue of subsection (1)(b) or by virtue of paragraph 4(2)(b) of Schedule 5 shall, if not applied in making the repayment mentioned in subsection (3), be paid into the Consolidated Fund.
- (5) In this section and Part I of Schedule 5—
 - " the appointed day" means the day appointed by the Secretary of State under subsection (1);
 - " the Council " means the National Ports Council;
 - " enactment" means any provision of a public general Act, of a local, private or personal Act, of a provisional order confirmed by an Act or any regulations, order, scheme, byelaws or similar instrument made under an Act.

16 Levy of contributions from harbour authorities

- (1) The Secretary of State shall levy from harbour authorities such contributions as appear to him necessary to meet the expenses specified in subsection (2) after making allowance for the contribution made by him in accordance with subsection (3).
- (2) The expenses referred to in subsection (1) are—
 - (a) the expenses of the Secretary of State in making the repayment to the National Loans Fund mentioned in section 15(3);
 - (b) his expenses in discharging any debts or other liabilities to which he becomes subject by virtue of section 15(1)(b) or paragraph 4(2)(b) of Schedule 5 ; and
 - (c) expenses incurred by him under paragraph 4(3) or (5), 7, 8(4)(b) or 9(5) of Schedule 5.
- (3) The Secretary of State's contribution to those expenses is—
 - (a) all sums received by him by virtue of section 15(1)(b) or paragraph 4(2)(b) of Schedule 5, and
 - (b) a further contribution of £1.5 million, made by such instalments as he may determine with the consent of the Treasury.
- (4) Sums received by the Secretary of State by virtue of this section shall be paid into the Consolidated Fund.
- (5) In this section and section 17 " harbour authority " means a person engaged (whether or not in the exercise of statutory functions) in improving, maintaining or managing a harbour within the meaning of the Harbours Act 1964.

17 Charging schemes

- (1) Contributions under section 16 shall be levied by means of one or more schemes made by the Secretary of State, referred to in this section as " charging schemes " .
- (2) A charging scheme shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) A charging scheme may apply to all harbour authorities, subject to subsection (4), to harbour authorities of a particular class or to particular harbour authorities, and may make provision for levying different contributions from different harbour authorities to whom it applies.
- (4) No contribution shall be levied from a harbour authority under a charging scheme if the only harbour being improved, maintained or managed by them is a fishery harbour or marine work within the meaning of the Harbours Act 1964.
- (5) The provisions of Part II of Schedule 5 have effect with respect to charging schemes.

18 Amendments of the Harbours Act 1964

- (1) The Harbours Act 1964 is amended in accordance with Schedule 6.
- (2) With the exception of paragraph 10, the provisions of Schedule 6 come into force on the day appointed by the Secretary of State under section 15(1).
- (3) Paragraph 10 of Schedule 6 comes into force on such day as the Secretary of State may appoint by order made by statutory instrument.
- (4) So far as may be necessary for the purposes of any amendment by this Act of the Harbours Act 1964, references in that Act to the Minister shall be construed as references to the Secretary of State.

PART IV

ROAD SAFETY

19 Disqualification for repeated offences

- (1) Where a person is convicted of an offence involving obligatory or discretionary disqualification and the court does not order him to be disqualified (whether on that or any other conviction) but orders particulars of the conviction to be endorsed under section 101 of the 1972 Act, the endorsement ordered shall include—
 - (a) particulars of the offence, including the date when it was committed; and
 - (b) the number of penalty points shown in respect of the offence in Schedule 7 to this Act (or, where a range of numbers is so shown, a number falling within the range);but if a person is convicted of two or more such offences the number of penalty points to be endorsed in respect of those of them that were committed on the same occasion shall be the number or highest number that would be endorsed on a conviction of one of those offences.
- (2) Where a person is convicted of an offence involving obligatory or discretionary disqualification and the penalty points to be taken into account under subsection (3)

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number twelve or more, the court shall order him to be disqualified for not less than the minimum period defined in subsection (4) unless the court is satisfied, having regard to all the circumstances not excluded by subsection (6), that there are grounds for mitigating the normal consequences of the conviction and thinks fit to order him to be disqualified for a shorter period or not to order him to be disqualified.

(3) The penalty points to be taken into account on the occasion of a person's conviction are—

- (a) any that on that occasion will be ordered to be endorsed on any licence held by him or would be so ordered if he were not then ordered to be disqualified ; and
- (b) any that were on a previous occasion ordered to be so endorsed, unless the offender has since that occasion and before the conviction been disqualified, whether under subsection (2) or under section 93 of the 1972 Act;

but if any of the offences was committed more than three years before another the penalty points in respect of that offence shall not be added to those in respect of the other.

(4) The minimum period referred to in subsection (2) is—

- (a) six months if no previous disqualification imposed on the offender is to be taken into account; and
- (b) one year if one, and two years if more than one, such disqualification is to be taken into account;

and a previous disqualification imposed on an offender is to be taken into account if it was imposed within the three years immediately preceding the commission of the latest offence in respect of which penalty points are taken into account under subsection (3).

(5) Where an offender is convicted on the same occasion of more than one offence involving obligatory or discretionary disqualification—

- (a) not more than one disqualification shall be imposed on him under subsection (2); and
- (b) in determining the period of the disqualification the court shall take into account all the offences; and
- (c) for the purposes of any appeal any disqualification imposed under subsection (2) shall be treated as an order made on the conviction of each of the offences.

(6) No account is to be taken under subsection (2) of—

- (a) any circumstances that are alleged to make the offence or any of the offences not a serious one;
- (b) hardship, other than exceptional hardship ; or
- (c) any circumstances which, within the three years immediately preceding the conviction, have been taken into account under that subsection in ordering the offender to be disqualified for a shorter period or not ordering him to be disqualified.

(7) For the purposes of this section—

- (a) an order for endorsement which was made before the commencement of this section counts as an order made in pursuance of subsection (1) for the endorsement of 3 penalty points, unless a disqualification was imposed on the offender on that or any subsequent occasion; and

- (b) circumstances which have been taken into account under section 93(3) of the 1972 Act in ordering an offender to be disqualified for a shorter period or not ordering him to be disqualified shall be treated as having been so taken into account under subsection (2) of this section.
- (8) The Secretary of State may by order made by statutory instrument—
- (a) alter the number of penalty points shown in Schedule 7 in respect of an offence (or, where a range of numbers is shown, alter that range); and
 - (b) provide for different numbers to be so shown in respect of the same offence committed in different circumstances ;
- but no such order shall be made unless a draft of it has been laid before Parliament and approved by resolution of each House of Parliament.
- (9) References in this section to disqualification do not include a disqualification imposed under section 103 of the 1972 Act (interim disqualification on committal to Crown Court) or section 44 of the Powers of Criminal Courts Act 1973 (disqualification by Crown Court where vehicle was used for commission of offence).

20 Removal of disqualification

Where, in pursuance of section 93(5) of the 1972 Act, a period of disqualification was imposed on an offender in addition to any other period or periods then, for the purpose of determining whether an application may be made under section 95 of that Act for the removal of either or any of the disqualifications the periods shall be treated as one continuous period of disqualification.

21 Offender escaping consequences of endorseable offence by deception

- (1) Where—
- (a) in dealing with a person convicted of an endorseable offence a court was deceived regarding any circumstances that were or might have been taken into account in deciding whether or for how long to disqualify him ; and
 - (b) the deception constituted or was due to an offence committed by that person;
- then, if he is convicted of that offence, the court by or before which he is convicted shall have the same powers and duties regarding an order for disqualification as had the court which dealt with him for the endorseable offence but shall in dealing with him take into account any order made on his conviction of the endorseable offence.
- (2) In this section " endorseable offence " means an offence involving obligatory or discretionary disqualification.

22 Seizure of licence required to be produced in court

The following subsection is inserted after subsection (3) of section 161 of the 1972 Act: —

- “(3A) Where a person has been required under section 101(4) of this Act to produce a licence to the court and fails to do so a constable may require him to produce it and, upon its being produced, may seize it and deliver it to the court.”.

23 Provisional licences and driving tests

- (1) In section 88(1) of the 1972 Act the following words are inserted after paragraph (d): —

“but regulations may authorise or require the Secretary of State to refuse a provisional licence authorising the driving of a motor cycle of a prescribed class if the applicant has held such a provisional licence and the licence applied for would come into force within the prescribed period beginning at the end of the period for which the previous licence authorised (or would, if not surrendered or revoked, have authorised) the driving of such a motor cycle or beginning at such other time as may be prescribed.”

- (2) In section 88 of the 1972 Act the following is substituted for paragraph (c) of subsection (2) (provisional licence not to authorise driving of certain motor cycles): —

“(c) shall not authorise a person, before he has passed the test of competence to drive prescribed under section 85 of this Act, to drive a motor cycle having two wheels only, unless it is a learner motor cycle as defined in subsection (2A) below or its first use (as defined in regulations) occurred before 1st January 1982 and the cylinder capacity of its engine does not exceed 125 cubic centimetres;”

and after that subsection there are inserted the following subsections : —

“(2A) A learner motor cycle is a motor cycle which either is propelled by electric power or has the following characteristics—

- (a) the cylinder capacity of its engine does not exceed 125 cubic centimetres;
- (b) the maximum power output of its engine does not exceed 9 kilowatts (as measured in accordance with International Standards Organisation standard 4106-1978.09.01); and
- (c) its power to weight ratio does not exceed 100 kilowatts per metric tonne, the power being the maximum power output mentioned in paragraph (b) above and the weight that mentioned in subsection (2B) below.

(2B) The weight referred to in subsection (2A) above is the weight of the motor cycle with a full supply of fuel in its tank, an adequate supply of other liquids needed for its propulsion and no load other than its normal equipment, including loose tools.”

- (3) In section 88(4) of the 1972 Act the following is substituted for paragraph (b) (full licence not to be available as provisional licence for certain motor cycles): —

“(b) unless he has passed the test there mentioned, a motor cycle which, by virtue of subsection (2)(c) above, a provisional licence would not authorise him to drive before he had passed that test”.

- (4) In subsection (1) of section 89 of the 1972 Act (duration of licences)—

- (a) at the end of the words preceding the paragraphs there are added the words " subject to subsection (1A) below ";
- (b) in paragraph (a) for the words " (b) or (c) " there are substituted the words " or (b) ";
- (c) in paragraph (aa) the words " or (c) " are omitted and the word " and " is added at the end ; and
- (d) paragraph (c) and the " and " preceding it are omitted.

- (5) After subsection (1) of section 89 of the 1972 Act there is inserted the following subsection: —

“(1A) To the extent that a provisional licence authorises the driving of a motor cycle of a prescribed class it shall, unless previously surrendered or revoked, remain in force for such period as may be prescribed or, if the licence is granted to the holder of a previous licence which was surrendered, revoked or treated as being revoked, for the remainder of the period for which the previous licence would have authorised the driving of such a motor cycle, or, in such circumstances as may be prescribed, for a period equal to that remainder at the time of surrender or revocation.”.

- (6) If regulations under subsection (2) of section 85 of the 1972 Act make provision for a test of competence to drive to consist of separate parts—

- (a) they may make for each part any provision that could be made for a test not consisting of separate parts, and provision for the supply by the Secretary of State of forms for certificates evidencing the results and for charges to be made for the supply; and
- (b) subsection (3) of that section (appeals) shall apply in relation to each part as well as in relation to the whole of the test.

- (7) In section 85(2)(b) of the 1972 Act (fees for driving tests) after " such amount as may be specified in the regulations " there is inserted " or, in such cases as may be prescribed, specified by such person as may be prescribed ".

24 Electrically assisted pedal cycles

- (1) In section 193(1) of the 1972 Act and in section 103(1) of the Road Traffic Regulation Act 1967 (certain vehicles not to be treated as motor vehicles) the following is inserted at the end of paragraph (b): “and

(c) an electrically assisted pedal cycle of such class as may be prescribed by regulations so made”.

- (2) An electrically assisted pedal cycle of a class specified in regulations made for the purposes of section 193 of the 1972 Act and section 103 of the Road Traffic Regulation Act 1967 shall not be driven on a road by a person under the age of fourteen; and if any person—

- (a) drives such a pedal cycle ; or
- (b) knowing or suspecting that another person is under the age of fourteen, causes or permits him to drive such a pedal cycle;

in contravention of this subsection he shall be guilty of an offence.

- (3) An offence under subsection (2) above shall be punishable on summary conviction with a fine not exceeding £50.

25 New provisions as to offences relating to alcohol and drugs

- (1) In section 5 of the 1972 Act (driving etc. under influence of drink or drugs) the following is added at the end of subsection (3): —

“but in determining whether there was such a likelihood the court may disregard any injury to him and any damage to the vehicle.”.

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

(2) The following is substituted for subsection (5) of that section: —

“(5) A constable may arrest a person without warrant if he has reasonable cause to suspect that that person is or has been committing an offence under this section.

(6) For the purpose of arresting a person under the power conferred by subsection (5) above a constable may enter (if need be by force) any place where that person is or where the constable, with reasonable cause, suspects him to be.

(7) Subsection (6) above does not extend to Scotland and nothing in that subsection shall affect any rule of law in Scotland concerning the right of a constable to enter any premises for any purpose.”.

(3) For sections 6 to 12 of the 1972 Act there are substituted the sections set out in Schedule 8.

(4) An offence under section 7(4) set out in Schedule 8 shall be included among the offences involving discretionary disqualification (within the meaning of Part III of the 1972 Act).

26 Increase of penalty for failure to stop, etc.

(1) In Schedule 4 to the 1972 Act, in the entry relating to section 25(4) (failure to stop, etc., after accident), for " £100 " there is substituted " £1,000 ".

(2) Subsection (1) does not apply to offences committed before the commencement of this section.

27 Compulsory wearing of seat belts

(1) After section 33 of the Road Traffic Act 1972 there shall be inserted the following section: —

“33A Wearing of seat belts.

(1) The Secretary of State may make regulations requiring, subject to such exceptions as may be prescribed, persons who are driving or riding in motor vehicles on a road to wear seat belts of such description as may be prescribed.

(2) Regulations under this section—

(a) may make different provision in relation to different classes of vehicles, different descriptions of persons and different circumstances ;

(b) shall include exceptions for—

(i) the users of vehicles constructed or adapted for the delivery of goods or mail to consumers or addressees, as the case may be, while engaged in making local rounds of deliveries;

(ii) the drivers of vehicles while performing a manoeuvre which includes reversing ;

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

- (ii) any person holding a valid certificate signed by a medical practitioner to the effect that it is inadvisable on medical grounds for him to wear a seat belt;
 - (c) may make any prescribed exceptions subject to such conditions as may be prescribed ; and
 - (d) may prescribe cases in which a fee of a prescribed amount may be charged on an application for any certificate required as a condition of any prescribed exception.
- (3) Any person who drives or rides in a motor vehicle in contravention of regulations under this section shall be guilty of an offence; but notwithstanding any enactment or rule of law no person other than the person actually committing the contravention shall be guilty of an offence by reason of the contravention.
- (4) If the holder of any such certificate as is referred to in subsection (2)(b) above is informed by a constable that he may be prosecuted for an offence under subsection (3) above, he shall not, in proceedings for that offence, be entitled to rely on the exception afforded to him by the certificate unless—
 - (a) it is produced to the constable at the time he is so informed ; or
 - (b) within five days after the date on which he is so informed, it is produced at such police station as he may have specified to the constable.
- (5) Regulations under this section requiring the wearing of seat belts by persons riding in motor vehicles shall not apply to children under the age of fourteen years (to whom the next following section applies).”
- (2) In section 169 of the Road Traffic Act 1972 (forgery of documents, etc.) in subsection (2) (documents to which that section applies) after paragraph (b) there shall be inserted the following paragraph: —
 - “(bb) any certificate required as a condition of any exception prescribed under section 33A of this Act;”.
- (3) In section 199 of the Road Traffic Act 1972 (exercise of regulation-making powers and Parliamentary control) the following subsection is inserted after subsection (2)—
 - “(2A) The following provisions apply to regulations made under section 33A above—
 - (a) when the Secretary of State proposes to make the first regulations under that section he shall lay before each House of Parliament a statement explaining his proposals ; and
 - (b) no draft of those first regulations shall be laid before Parliament for approval under subsection (4) below until after the expiration of the period of three months beginning with the day on which the statement was laid (or, if the statement was laid on different days, with the later of the two days); and
 - (c) at the end of the period of three years beginning with the day on which the first regulations under that section came into force, all regulations in force under that section shall expire unless their continuation in force has been approved by a resolution of each House of Parliament.”

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

- (4) In Part I of Schedule 4 to the Road Traffic Act 1972 (prosecution and punishment of offences) after the entry relating to section 33 there shall be inserted the following entry: —

“33A.	Driving or riding in a, motor vehicle in contravention of regulations requiring wearing of seat belts.	Summarily	£50	—	—	Sections 181 and 183 apply.”
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28 Restriction on carrying children in the front of motor vehicles

- (1) After section 33 of the 1972 Act there is inserted, after the section inserted by section 27, the following section—

“33B Restriction on carrying children in the front of motor vehicles.

- (1) Except as provided by regulations a person shall not, without reasonable excuse, drive a motor vehicle on a road when there is in the front of the vehicle a child under the age of fourteen years who is not wearing a seat belt in conformity with regulations.
- (2) It is an offence for a person to drive a motor vehicle in contravention of subsection (1) above.
- (3) Provision may be made by regulations—
 - (a) excepting from the prohibition in subsection (1) above children of any prescribed description, vehicles of a prescribed class or the driving of vehicles in such circumstances as may be prescribed ;
 - (b) defining in relation to any class of vehicle what part of the vehicle is to be regarded as the front of the vehicle for the purposes of that subsection;
 - (c) prescribing for the purposes of that subsection the descriptions of seat belt to be worn by children of any prescribed description and the manner in which such a belt is to be fixed and used.

- (4) In this section—

" regulations " means regulations made by the Secretary of State under this section; and

" seat belt" includes any description of restraining device for a child and any reference to wearing a seat belt shall, be construed accordingly.”.

- (2) In Part I of Schedule 4 to the 1972 Act (prosecution and punishment of offences), after the entry relating to section 33A, there is inserted—

“33B.	Driving motor vehicle with, child in the front not wearing seat belt.	Summarily	£50	—	—	Sections 181 and 183 apply.”
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29 Persons entitled to drive when licence applied for

- (1) After section 84(4) of the 1972 Act (under which a person may drive a vehicle without a licence if he has previously held a licence to drive vehicles of that class and has applied for and is entitled to obtain such a licence) there is inserted—

“(4A) The Secretary of State may by regulations provide that subsection (4) above shall also apply (where the requirements of that subsection are otherwise met) in the case of a person who has not previously held a licence to drive vehicles of the relevant class. Regulations under this subsection shall, if not previously revoked, expire at the end of the period of one year beginning with the day on which they came into operation.”.

- (2) In the words in parenthesis in section 199(2) of that Act (exceptions from the duty to consult before making regulations) after " section " there is inserted " 84(4A) or ".

30 Interpretation of Part IV and consequential and minor amendments

- (1) In this Part " the 1972 Act " means the Road Traffic Act 1972.
- (2) Sections 19 to 21 shall be construed as if they were contained in Part III of the 1972 Act.
- (3) The 1972 Act and section 56 of the Criminal Justice Act 1967 shall have effect subject to the consequential and minor amendments specified in Schedule 9.

31 Commencement of Part IV

- (1) With the exception of section 29, the provisions of this Part come into force on such day as the Secretary of State may appoint by order made by statutory instrument.
- (2) Different days may be appointed under this section for different purposes.

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

PART V

MISCELLANEOUS AND GENERAL

Miscellaneous

32 Road humps

- (1) The provisions of Schedule 10 have effect with respect to road humps.
- (2) This section and Schedule 10 come into force on such day as the Secretary of State may appoint by order made by statutory instrument, and different days may be so appointed for different purposes.

33 New basis of vehicle excise duty for goods vehicles

- (1) The duty payable under section 1 of the 1971 Act in respect of goods vehicles on licences taken out on or after such day as Parliament may hereafter determine shall be charged in accordance with the following provisions of this section.
- (2) The factors determining the rates of the duty to be charged in respect of goods vehicles of an unladen weight exceeding 30 hundredweight which fall within both—
 - (a) a class to which the Plating and Testing Regulations apply; and
 - (b) a description in the Tables set out in Part I of Schedule 11 to this Act,shall be those shown in those Tables and, if or to the extent that Parliament so determines, the additional factors set out in Part II of that Schedule.
- (3) The rate of duty to be charged in respect of goods vehicles of an unladen weight exceeding 30 hundredweight which do not fall within a class to which the Plating and Testing Regulations apply shall be the lowest rate which would be chargeable in accordance with Table 1 in Part I of Schedule 11 to this Act if duty were so chargeable.
- (4) The rates of duty to be charged in respect of goods vehicles of an unladen weight exceeding 30 hundredweight which do not comply with Construction and Use Regulations but are authorised by an order under section 42 of the 1972 Act to be used on roads shall be—
 - (a) if they fall within a class specified by an order of the Secretary of State made for the purposes of this paragraph, the highest rate that would be chargeable in accordance with Table 2 in Part I of Schedule 11 to this Act if duty were so chargeable ; and
 - (b) in any other case, the lowest rate which would be chargeable in accordance with Table 1 in that Part of that Schedule if duty were so chargeable.
- (5) The rates of duty chargeable in respect of showman's goods vehicles and farmer's goods vehicles (both as defined in Schedule 4 to the 1971 Act) of an unladen weight exceeding 30 hundredweight shall be percentages of a rate or rates chargeable in accordance with the Tables in Part I of Schedule 11 to this Act.
- (6) Duty in respect of vehicles of an unladen weight not exceeding 30 hundredweight shall be charged in accordance with Schedule 5 to the 1971 Act.

- (7) An order for the purposes of subsection (4)(a) above shall be made by statutory instrument, but no such order shall be made unless a draft of it has been laid before Parliament and approved by resolution of each House of Parliament.

34 Interpretation of s. 33 and Schedule 11

- (1) In section 33 and Schedule 11—

"articulated vehicle" means a mechanically propelled vehicle to which a trailer may be attached so that part of the trailer is superimposed upon the vehicle and when the trailer is uniformly loaded not less than twenty per cent of the weight of its load is borne by the vehicle;

"goods vehicle" means a mechanically propelled vehicle constructed or adapted for use and used for the conveyance of goods or burden of any description;

"the Construction and Use Regulations" means regulations under section 40 of the 1972 Act;

"the Plating and Testing Regulations" means regulations under section 45 of the 1972 Act;

"rigid goods vehicle" means a goods vehicle which is not an articulated vehicle;

"the 1971 Act" means the Vehicles (Excise) Act 1971; and

"the 1972 Act" means the Road Traffic Act 1972.

- (2) For the purposes of this section, section 33 and Schedule 11—

(a) the gross weight of any vehicle is the maximum laden weight for the vehicle as shown on the relevant plate; and

(b) the train weight of an articulated vehicle is the maximum laden weight for the vehicle together with any trailer which may be drawn by it, as shown on the relevant plate;

and the relevant plate is the plate with which the vehicle is required to be equipped by the Construction and Use Regulations and, if so required to be equipped with a plate showing particulars determined under the Plating and Testing Regulations, that plate.

- (3) The Secretary of State may by regulations—

(a) substitute different definitions for those contained in subsection (2); and

(b) require axles of such descriptions as may be specified in the regulations to be disregarded for all or any of the purposes of Schedule 11.

- (4) Regulations under subsection (3) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

35 Charges for licensing of cabs and cab drivers

- (1) In section 6 of the Metropolitan Public Carriage Act 1869 (licensing of cabs) the words "at such price" are omitted and for the words from "such uniform sum" to "prescribe" there are substituted the words "such sum as the person granting the licence may, with the approval of the Secretary of State, determine, and different sums may be so determined with respect to different descriptions of vehicle".

- (2) In section 8 of the Metropolitan Public Carriage Act 1869 (licensing of cab drivers) the words "at such price" are omitted and for the words from "such sum" to "prescribe"

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

" there are substituted the words " such sum as the person granting the licence may, with the approval of the Secretary of State, determine, and different sums may be so determined with respect to different descriptions of licence ".

- (3) Where section 70 of the Local Government (Miscellaneous Provisions) Act 1976 (fees for vehicle and operator's licences) is not in force in the area of a district council, the sums to be paid for a licence granted by the council under section 37 of the Town Police Clauses Act 1847 (licensing of cabs outside London) shall be such as the council may determine, and different sums may be so determined with respect to different descriptions of vehicle; and the sums so determined shall be such as appear to the council to be sufficient in the aggregate to cover in whole or in part—
- (a) the reasonable cost" of the carrying out by or on behalf of the district council of inspections of hackney carriages for the purpose of determining whether any such licence should be granted or renewed ;
 - (b) the reasonable cost of providing hackney carriage stands; and
 - (c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages.
- (4) This section does not extend to Scotland.
- (5) This section comes into force on such day as the Secretary of State may by order made by statutory instrument, appoint, and different days may be so appointed for different purposes.

36 Grants to assist the provision of facilities for freight haulage by inland waterway

- (1) Where it appears to the Secretary of State that it would be in the interests of any locality or of all or some of its inhabitants for facilities to be provided in that locality or elsewhere for or in connection with the carriage of freight by inland waterway or the loading or unloading of freight carried or intended to be carried by inland waterway, he may make grants in accordance with this section towards the provision of such facilities.
- (2) Grants under this section shall be made towards capital expenditure which is to be incurred in providing such facilities, and the facilities may, without prejudice to the generality of subsection (1) above, include cargo-carrying craft, inland waterway terminals, depots, access roads and equipment for use in connection with the carriage, loading or unloading of freight.
- (3) Grants under this section shall be made in pursuance of an application made to the Secretary of State by the person who intends to provide the facilities and shall be supported by evidence that the navigation authority have given that person their approval for the provision by him of the facilities to which the application relates.
- (4) The Secretary of State may, in making a grant under this section, impose such terms and conditions as he thinks fit.

37 Railway etc. byelaws: increase in penalties

In section 67 of the Transport Act 1962 (byelaws for railways and railway shipping services) for subsection (3) there is substituted the following subsection—

“(3) Any byelaws made under this section may provide—

- (a) in the case of byelaws made by virtue of subsection (1) above, that any person contravening them shall be liable on summary conviction to a penalty not exceeding £200 for each offence ; and
- (b) in the case of byelaws made by virtue of subsection (2) above, that any person contravening them shall be liable on summary conviction to a fine not exceeding £50 for each offence and, in the case of such a contravention which continues after conviction, to a fine not exceeding £10 for each day on which the offence so continues.”.

38 Fires caused by railway engines

- (1) In section 1 of the Railway Fires Act 1905 (liability of railway companies to make good damage to crops caused by their engines), in subsection (3) for the words " two hundred pounds " there is substituted " £3,000 or such greater sum as may for the time being be prescribed by order made by the Secretary of State " ; and after that subsection there is inserted the following—

“(3A) An order under subsection (3) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3B) In the application of subsection (3) above to Northern Ireland for the reference to the Secretary of State there shall be substituted a reference to the Department of the Environment for Northern Ireland and any order made by the Department under that subsection—

- (a) shall be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979; and
 - (b) shall be subject to negative resolution as defined by section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if it were a statutory instrument within the meaning of that Act.”
- (2) In section 2 of the Railway Fires Act (1905) Amendment Act 1923 the words " not exceeding the said sum of two hundred pounds " are hereby repealed.

39 Amendment of Schedules 7 and 8 to the Public Passenger Vehicles Act 1981

In the Public Passenger Vehicles Act 1981—

- (a) in Schedule 7 (consequential amendments), paragraph 24 is omitted;
- (b) in Schedule 8 (repeals)—
 - (i) in the entry relating to the Transport Act 1968 the words " In section 145, subsection (2)" are omitted, and
 - (ii) in the entry relating to the Transport Act 1980 after the words " In Schedule 5, Part I" there are inserted the words " (except paragraph 13) " and for the words " the Minibus Act 1977 and the Transport Act 1978 " there are substituted the words " and the Minibus Act 1977 and paragraphs 2 to 4 of the entry-relating to the Transport Act 1978. ".

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

General

40 Repeals

- (1) The enactments mentioned in Schedule 12 are repealed to the extent specified in the third column of that Schedule.
- (2) Part I of that Schedule has effect as from the day appointed by the Secretary of State for the purposes of section 5.
- (3) Part II of that Schedule has effect as from the day appointed by the Secretary of State under section 15(1), except for the repeal of the entry for the National Ports Council in Part II of Schedule 1 to the House of Commons Disqualification Act 1975 which comes into force on the Council ceasing to exist.
- (4) Part III of that Schedule so far as relates to—
 - (a) the Railway Fires Act (1905) Amendment Act 1923 ; and
 - (b) the Public Passenger Vehicles Act 1981,
 comes into force on the passing of this Act and otherwise comes into force on such day as the Secretary of State may appoint by order made by statutory instrument and different days may be so appointed for different purposes.

41 Northern Ireland

- (1) The following provisions of this Act extend to Northern Ireland—
 - (a) Part I;
 - (b) Part II, except—
 - (i) in Schedule 3, paragraphs 7 and 19 ;
 - (ii) in Schedule 4, paragraphs 1,5 to 9 and 15 ;
 - (c) Section 38;
 - (d) Part I of Schedule 12, and section 40 so far as relates to that Part;
 - (e) the repeal by Part II of Schedule 12 of the entry for the National Ports Council in Part II of Schedule 1 to the House of Commons Disqualification Act 1975, and section 40 so far as it relates to that repeal;
 - (f) Part III of Schedule 12 and section 40 so far as relating to the Railway Fires Act (1905) Amendment Act 1923;
 - (g) this section and sections 42 and 43.
- (2) The other provisions of this Act do not extend to Northern Ireland.
- (3) An Order in Council made under paragraph 1(1)(b) of Schedule 1 to the Northern Ireland Act 1974 which contains a statement that its purposes correspond to those of sections 27 and 28 of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament instead of the order or a draft of the order being subject to the procedure set out in paragraph 1(4) or (5) of that Schedule.

42 Expenses

Expenses incurred by any government department in consequence of the provisions of this Act shall be defrayed out of money provided by Parliament.

43 Short title

This Act may be cited as the Transport Act 1981.