



# Transport Act 1982

## 1982 CHAPTER 49

### PART IV

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Miscellaneous*

56— ..... F1  
60.

##### Textual Amendments

F1 Ss. 56–60 repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 3, 5, Sch. 1 Pt. I, **Sch. 4 paras. 1–3**

61 ..... F2

##### Textual Amendments

F2 S. 61 repealed by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), s. 146, **Sch. 14**

62 ..... F3

##### Textual Amendments

F3 S. 62 repealed by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), s. 146, **Sch. 14**

*Status: Point in time view as at 01/02/1991. This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: Transport Act 1982, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 02 January 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)*

**63, 64.** ..... F4

**Textual Amendments**

- F4** Ss. 63, 64 repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 3, 5, Sch. 1 Pt. I, Sch. 4 paras. 1–3

**65 Marking of builders' skips.**

In section 139 of the <sup>M1</sup>Highways Act 1980 (control of builders' skips), at the end of subsection (4)(a) (duty of owner of skip deposited on highway to secure that it is properly lighted) there shall be inserted the following words “and, where regulations made by the Secretary of State under this section require it to be marked in accordance with the regulations (whether with reflecting or fluorescent material or otherwise), that it is so marked”.

**Modifications etc. (not altering text)**

- C1** The text of ss. 10(2)–(9), 11, 18, 19(1)(3), 20, 21(3)–(5), 22, 23(3)(4), 24, 65, 67, 68, Sch. 4, Sch. 5 paras. 17(2), 20, 21–23 and Sch. 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

- M1** 1980 c. 66.

PROSPECTIVE

**66 Powers exercisable in relation to harbour authorities in the interests of national defence.**

- (1) If it appears to the Secretary of State that there is anything which a harbour authority ought in the interests of national defence—
  - (a) to have power to do in connection with any harbour which they are engaged in improving, maintaining or managing; or
  - (b) to be required to do in connection with any such harbour;
 he may authorise or direct the authority to do that thing.
- (2) No limitation on the powers of a harbour authority contained in any statutory provision, whenever passed or made, shall prevent the authority from acting in accordance with an authorisation or direction given under subsection (1) above.
- (3) A harbour authority or any other person who suffers injury, loss or damage in consequence of anything done in pursuance of an authorisation or direction given under subsection (1) above shall be entitled to receive from the Secretary of State such compensation as may be agreed or as may, in default of agreement, be determined by arbitration to be just having regard to all the circumstances of the particular case.

**Status:** Point in time view as at 01/02/1991. This version of this cross heading contains provisions that are prospective.

**Changes to legislation:** Transport Act 1982, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 02 January 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)

- (4) An arbitration under subsection (3) above shall, unless otherwise agreed, be the arbitration—
- (a) in England and Wales or Northern Ireland, of a single arbitrator to be appointed by the Lord Chancellor; and
  - (b) in Scotland, of a single arbiter to be appointed by the Lord President of the Court of Session.
- (5) Any compensation payable by the Secretary of State under this section shall be paid out of money provided by Parliament.
- (6) Any authorisation or direction given to a harbour authority by the Secretary of State under subsection (1) above shall be in writing; and it shall be the duty of any harbour authority to comply with any directions given to them under that subsection.
- (7) In this section “harbour”, “harbour authority” and “statutory provision” have—
- (a) in relation to England, Wales and Scotland, the same meaning as in the <sup>M2</sup>Harbours Act 1964; and
  - (b) in relation to Northern Ireland, the same meaning as in the <sup>M3</sup>Harbours Act (Northern Ireland) 1970.

#### Marginal Citations

**M2** 1964 c. 40.

**M3** 1970 c. 1 (N.I.)

### 67 Extended pension provision for members of transport Boards

In paragraph 8 of Schedule 1 to the <sup>M4</sup>Transport Act 1962 (salaries, pensions etc. of members of Boards of nationalised transport industries), in sub-paragraph (1)(b) (Minster may determine pensions to be paid on retirement or death of members of Boards), for the words “on retirement or death” there shall be substituted the words “in the case”.

#### Modifications etc. (not altering text)

**C2** The text of ss. 10(2)–(9), 11, 18, 19(1)(3), 20, 21(3)–(5), 22, 23(3)(4), 24, 65, 67, 68, Sch. 4, Sch. 5 paras. 17(2), 20, 21–23 and Sch. 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

**M4** 1962 c. 46.

### 68 Refusal or withdrawal of disabled persons’ badges.

In section 21 of the <sup>M5</sup>Chronically Sick and Disabled Persons Act 1970 (badges for display on motor vehicles used by disabled persons) after subsection (7) there shall be inserted the following subsection—

“(7A) Where the prescribed conditions are met in the case of any person, then—

**Status:** Point in time view as at 01/02/1991. This version of this cross heading contains provisions that are prospective.  
**Changes to legislation:** Transport Act 1982, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 02 January 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)

- (a) if he applies to a local authority for the issue of a badge under this section, the authority may by notice refuse the application; and
- (b) if he holds a badge issued under this section by the authority, the authority may by notice require him to return the badge to them.

The conditions that may be prescribed for the purposes of this subsection are conditions relating to the misuse of badges issued under this section.

(7B) A notice under subsection (7A) above may be given by post.

(7C) A person whose application is refused under subsection (7A) above or who is required to return his badge under that subsection may, within the prescribed time, appeal to the Secretary of State who may confirm or reverse the decision of the local authority; and, if he reverses it, the authority shall issue a badge accordingly or, as the case may be, the requirement to return the badge shall cease to have effect.

(7D) A badge which is required to be returned to the issuing authority by virtue of subsection (6) above may not be displayed on any vehicle; and a badge which is required to be returned by virtue of a notice under subsection (7A) above shall be returned within the prescribed time and may not be displayed on any vehicle after that time.

(7E) Regulations under this section may provide for the procedure to be followed in connection with appeals under subsection (7C) above; but the Secretary of State shall consult with the Council on Tribunals before making regulations that so provide.”.

**Modifications etc. (not altering text)**

**C3** The text of ss. 10(2)–(9), 11, 18, 19(1)(3), 20, 21(3)–(5), 22, 23(3)(4), 24, 65, 67, 68, Sch. 4, Sch. 5 paras. 17(2), 20, 21–23 and Sch. 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M5** 1970 c. 44.

**69** ..... F5

**Textual Amendments**

**F5** S. 69 repealed by [Road Traffic Regulation Act 1984 \(c. 27, SIF 107:1\)](#), s. 146, **Sch. 14**

**70** **Payments in respect of applicants for exempting from wearing seat belts.**

(1) The Secretary of State may make payments out of money provided by Parliament in respect of the examination of applicants falling within any class mentioned in subsection (2) below, being applicants for medical certificates required as a condition

**Status:** Point in time view as at 01/02/1991. This version of this cross heading contains provisions that are prospective.

**Changes to legislation:** Transport Act 1982, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 02 January 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)

of any exception prescribed by regulations under section 33A or 33B of the 1972 Act (wearing of seat belts).

(2) The classes referred to in subsection (1) above are—

(a) those in receipt of—

- (i) attendance allowance under section 35 of the <sup>M6</sup>Social Security Act 1975;
- (ii) mobility allowance under section 37A of that Act;
- (iii) disablement pension under section 57 of that Act at a weekly rate increased by virtue of section 61(1) of that Act (constant attendance needed); or
- (iv) an allowance under article 14 of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order <sup>M7</sup>1978 (constant attendance allowance);
- <sup>F6</sup>(v) mobility supplement under a scheme made under the Personal Injuries (Emergency Provisions) Act 1939 or under an Order in Council made under section 12 of the Social Security (Miscellaneous Provisions) Act 1977 (war pensioners mobility supplement); or
- (vi) a disability pension paid by the Secretary of State for Defence on account of disability attributable to injury sustained after 30th September 1921 but before 3rd September 1939 together with a mobility supplement paid under the Naval and Marine Pay and Pensions (Disablement Awards) (No. 2) Order 1984 or under Royal Warrant dated 30th December 1949 or under Queen's Regulations for the Royal Air Force.]

(b) those in receipt [<sup>F7</sup>of income support or family credit and] their dependants;

(c) those provided with invalid carriages or other vehicles under subsection (1) of section 46 of the <sup>M8</sup>National Health Service (Scotland) Act 1978 or in receipt of grants under subsection (3) of that section in respect of invalid carriages or other vehicles which belong to them; and

(d) those whose names are in the register of disabled persons maintained under section 6 of the <sup>M9</sup>Disabled Persons (Employment) Act 1944.

(3) The Secretary of State may by order amend subsection (2) above (whether as originally enacted or as previously amended under this subsection) so as to omit any of the classes mentioned in that subsection or add to or substitute for any of those classes other classes of any description.

#### Textual Amendments

**F6** S. 70(2)(a)(v)(vi) added by S.I. 1984/1996, **art. 2**

**F7** Words substituted by **Social Security Act 1986 (c. 50, SIF 113:1), s. 86(1), Sch. 10 para. 57**

#### Marginal Citations

**M6** 1975 c. 14.

**M7** S.I. 1978 No. 1525.

**M8** 1978 c. 29.

**M9** 1944 c. 10.

---

**Status:** Point in time view as at 01/02/1991. This version of this cross heading contains provisions that are prospective.

**Changes to legislation:** Transport Act 1982, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 02 January 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)

---

## 71 Northern Ireland.

An Order in Council under paragraph 1(1)(b) of Schedule 1 to the <sup>M10</sup>Northern Ireland Act 1974 (legislation for Northern Ireland in the interim period) which states that it is made only for purposes corresponding to those of section 70 of this Act—

- (a) shall not be subject to paragraph 1(4) and (5) of that Schedule (affirmative resolution of both Houses of Parliament); but
- (b) shall be subject to annulment in pursuance of a resolution of either House.

---

### Marginal Citations

M10 1974 c. 28.

**Status:**

Point in time view as at 01/02/1991. This version of this cross heading contains provisions that are prospective.

**Changes to legislation:**

Transport Act 1982, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 02 January 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.