

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: Transport Act 1982, SCHEDULE 5 is up to date with all changes known to be in force on or before 28 July 2023. 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 5

Section 74.

MINOR AND CONSEQUENTIAL AMENDMENTS

1—4. ^{F1}

Textual Amendments

F1 Sch. 5 paras. 1–4 repealed by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), s. 146, **Sch. 14**

Transport Act 1968 (c. 73)

PROSPECTIVE

5 (1) [^{F2}The powers of the [^{F3} Scottish Transport Group] under section 48(2) of the ^{M1}Transport Act 1968 shall include power to make premises held by them available for the exercise by authorised inspectors within the meaning of Part II of this Act of their functions; and, accordingly, that power shall be treated for the purposes of section 52 of the Transport Act 1968 as conferred by section 48(2).]

^{F4}(2)

^{F5}6

Textual Amendments

F5 Sch. 5 para. 6 repealed (1.1.1996) by 1995 c. 23, s. 60(2), **Sch. 8 Pt. I** (with ss. 54, 55); S.I. 1995/2181, **art. 2**.

7—16. ^{F6}

Textual Amendments

F6 Sch. 5 paras. 7–16, 17(1) repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 3, 5, Sch. 1 Pt.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**

Road Traffic (Foreign Vehicles) Act 1972 (c. 27)

PROSPECTIVE

17 (1) ^{F7}

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- (2) In section 7 of that Act (interpretation)—
 - (a) in subsection (1), at the end of the definition of “official testing station” there shall be added the words “or premises designated by him under section 10(12) of the Transport Act 1982”; and
 - (b) at the end of that subsection there shall be added the following subsection—
 - “(1A) References in any provision of this Act to an authorised inspector are references to a person authorised by the Secretary of State under section 8 of the Transport Act 1982 to exercise the function to which that provision relates.”.

Textual Amendments

F7 Sch. 5 paras. 7–16, 17(1) repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 3, 5, Sch. 1 Pt.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**

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.

18, 19. **F8**

Textual Amendments

F8 Sch. 5 paras. 18, 19 repealed by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), s. 146, **Sch. 14**

PROSPECTIVE

House of Commons Disqualification Act 1975 (c. 24)

- 20 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 the following entry shall be inserted in the appropriate place—
 - “Director of any company eligible for loans under section 13 of the Transport Act 1982 (loans to Government-controlled company interested in former Government testing stations).”.

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.

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PROSPECTIVE

Public Passenger Vehicles Act 1981 (c. 14)

F9 21

Textual Amendments

F9 Sch. 5 para. 21 repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, Sch.8; S.I. 1992/1286, art. 2, Sch.

22 In section 52(1)(a) of that Act (fees for grant of licence), for sub-paragraph (ii) there shall be substituted the following sub-paragraph—

“(ii) applications for certificates of initial fitness under section 6 of this Act which are required by regulations to be made to [^{F10}a traffic commissioner] and the issue of certificates on such applications;”.

Textual Amendments

F10 Words in Sch. 5 para. 22 substituted (3.7.2013) by virtue of The Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 (S.I. 2013/1644), art. 1(1), Sch. 1 (with arts. 1(3), 2, 7)

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.

23 In section 82 of that Act (general interpretation provisions)—

(a) in subsection (1), after the definition of “prescribed” there shall be inserted the following definition—

““prescribed testing authority” means such person authorised by the Secretary of State under section 8 of the Transport Act 1982 to carry on a vehicle testing business within the meaning of Part II of that Act as may be prescribed” and

(b) the following subsection shall be inserted after subsection (1)—

“(1A) References in any provision of this Act to an authorised inspector are references to an authorised inspector under section 8 of the Transport Act 1982 and, where the function to which that provision relates is one of those specified in section 9 of that Act (testing and surveillance functions), are limited to an authorised inspector authorised under section 8 to exercise that function.”.

Modifications etc. (not altering text)

C4 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

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reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

24 The power conferred by section 87 of that Act to repeal section 10 of that Act and certain connected provisions by order includes power to make such other amendments in that Act and such amendments in this Act as are required in consequence of the repeal.

Transport Act 1981 (c. 56)

25 . . . F11

Textual Amendments

F11 Sch. 5 para. 25 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**

26 F12

Textual Amendments

F12 Sch. 5 para. 26 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**

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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. 10(2)(b)-(d) substituted for s. 10(2)(b)(c) by [1999 c. 12 Sch. para. 2\(c\)](#)
- s. 10(2)(aa) inserted by [1999 c. 12 Sch. para. 2\(b\)](#)
- s. 70(2)(a)(iA) repealed by [2012 c. 5 Sch. 14 Pt. 9](#)