

## 1968 No. 1822 (C.24)

## TRANSPORT

**The Transport Act 1968 (Commencement No. 1) Order 1968**

*Made - - - - 14th November 1968*

The Minister of Transport and the Secretary of State, acting jointly or separately as shown in the Schedules to this Order, hereby make this Order in exercise of their powers under section 166 of the Transport Act 1968<sup>(a)</sup> and of all other enabling powers.

1. This Order may be cited as the Transport Act 1968 (Commencement No. 1) Order 1968.

2. The provisions of the Transport Act 1968 (hereinafter referred to as "the Act") specified in Schedule 1 to this Order shall come into force on the 18th November 1968, and the provisions of the Act specified in Schedule 2 to this Order shall come into force on the 1st January 1969.

Sealed with the Official Seal of the Minister of Transport the 14th November 1968.

(L.S.)

*Richard Marsh,*  
Minister of Transport.

Dated the 13th November 1968.

*William Ross,*  
One of Her Majesty's Principal  
Secretaries of State.

Dated the 13th November 1968.

*George Thomas,*  
One of Her Majesty's Principal  
Secretaries of State.

**SCHEDULE 1****PROVISIONS COMING INTO FORCE ON THE 18th NOVEMBER 1968****A. Provisions brought into force by the Minister of Transport***In Part I of the Act*

Sections 1, 2, 3(1)(b), (c) and (d), 4(2), (4) and (5), and 5 (except subsection (3)(b)).

*In Part III of the Act*

Sections 25 and 30 to 33.

*In Part IV of the Act*

Sections 39, 40, 41(8), 45 and 57.

*In Part VII of the Act*

Sections 104 to 111, 112(1) to (6), and 113 to 115.

*In Part VIII of the Act*

Sections 120 and 123 to 125.

*In Part IX of the Act*

Sections 132 and 133.

*In Part X of the Act*

Sections 138 to 140, 142, 143, 145 to 149, 153, 156(2) (so far as it relates to those paragraphs in Schedule 16 to the Act specified below), 157, 158, 162, 163, 164, 165 (so far as it relates to those provisions of Schedule 18 to the Act specified below) and 166.

*In the Schedules to the Act*

Schedule 3.

Schedule 8.

Schedules 12 and 13.

Schedule 15.

In Schedule 16—paragraphs 1, 2 and 7.

Schedule 17.

In Schedule 18—

(a) In Part I of that Schedule—the following REPEALS IN THE TRANSPORT ACT 1962 (10 & 11 ELIZ. 2. C. 46)—

Section 6.

In section 10, subsection (2) and, in subsection (4), the words “and (2)”.

In section 11(4) the words from “but the Minister” to “by the Board”.

In section 13, subsection (2), subsection (4) (except as respects proposals approved thereunder before the appointed day for the purposes of section 48 of this Act), and subsections (5) to (8).

Sections 22(2), (3) and (6), and 25(3).

Sections 55, 61(1) and (3), 64 and 72(4).

In section 85(1), the words from “After the entry relating to the National” to the words “the Nationalised Transport Advisory Council”.

In section 85(2), the words “or the Hotel Company” and the words from “or of” onwards.

In section 85(3), the words from “or of” onwards.

Section 87.

(b) In Part III of that Schedule—the following

## MISCELLANEOUS REPEALS—

Chapter	Short Title	Extent of Repeal
20 & 21 Geo. 5. c. 43.	The Road Traffic Act 1930.	Section 102.
10 & 11 Geo. 6. c. 49.	The Transport Act 1947.	Section 37.
1 & 2 Eliz. 2. c.11.	The Harbours, Piers and Ferries (Scotland) Act 1953.	The whole Act.
3 & 4 Eliz. 2. c. 26.	The Public Service Vehicles (Travel Concessions) Act 1955.	In section 1, subsections (4) and (6).
5 & 6 Eliz. 2. c. 20.	The House of Commons Disqualification Act 1957.	In Part II of Schedule 1, and in the Part substituted therefor by Schedule 3, the entry "The Nationalised Transport Advisory Council". In Part III of Schedule 1, in the entry beginning "Director of the Holding Company" the words "or the Hotel Company" and the words from "or of" onwards. In Schedule 3, in the Part substituted by that Schedule for the said Part III, in the entry beginning "Director of the Holding Company" the words from "or of" onwards.
6 & 7 Eliz. 2. c. 55.	The Local Government Act 1958.	Section 38(6).
8 & 9 Eliz. 2. c. 16.	The Road Traffic Act 1960.	Section 154(1). Section 188(1).
1964 c. 40.	The Harbours Act 1964.	In section 30(4) the words "(other than any of the Boards)" and the words from "or by" to "1962".
1965 c. 62.	The Redundancy Payments Act 1965.	In section 48, in subsection (5), the words from "except" to "subsection", and subsection (6).
1966 c. 17.	The Transport Finances Act 1966.	Section 1(2). In section 1(3), the words from "except" to "pounds". Section 2. In section 3(3), the words "except section 2".
1966 c. 18.	The Finance Act 1966.	In section 35(3), the words "in either case".

Chapter	Short Title	Extent of Repeal
1966 c. 46.	The Bus Fuel Grants Act 1966.	As from 1st January 1969, the whole Act.
1968 c. 3.	The Capital Allowances Act 1968.	In section 83(4), the words “(whether under paragraph (a) or (b) above)”.
1968 c. 44.	The Finance Act 1968.	As from 1st January 1969, section 2(1)(b).

***B. Provisions which refer to the Scottish Transport Group and are brought into force with respect to that Group by the Minister of Transport and the Secretary of State acting jointly but which are brought into force in all other respects by the Minister of Transport***

***In Part I of the Act***

Sections 6, 7 and 8.

***In Part III of the Act***

Sections 24, 26, 27(1)(b), (c) and (d), 28(4) to (6), and 29(1), (5) and (6).

***In Part IV of the Act***

Sections 46 to 52.

***In Part X of the Act***

Sections 134 to 137, 141, 144, 155, 156(1), 156(2) (so far as it relates to those paragraphs in Schedule 16 to the Act specified below), 159, 160 and 161.

***In the Schedules to the Act***

Schedule 1.

Schedule 4 (except in its application to any transfer under section 17 of the Act).

Schedule 7.

In Schedule 16—paragraphs 3 to 6 and 8 to 12.

***C. Provisions brought into force by the Minister of Transport and the Secretary of State acting jointly***

***In Part II of the Act***

Sections 9 to 23.

***In Part III of the Act***

Section 37.

***In Part IV of the Act***

Section 56.

***In Part VIII of the Act***

Sections 119, 121 and 122.

***In Part IX of the Act***

Section 130(5)(c) for the purpose only of enabling procedure regulations to be made under section 84C of the Road Traffic Regulation Act 1967 (a).

***In the Schedules to the Act***

Schedule 4 (in its application to any transfer under section 17 of the Act).

Schedules 5 and 6.

In Part V of Schedule 14—the section 84C to be inserted after section 84 of the Road Traffic Regulation Act 1967, but for the purpose only of enabling procedure regulations to be made under the said section 84C.

*D. Sections relating only to Scotland and brought into force by the Secretary of State*

*In Part IV of the Act*

Section 58.

*In Part X of the Act*

Sections 151, 152 and 154.

**SCHEDULE 2**

**PROVISIONS COMING INTO FORCE ON THE 1st JANUARY 1969**

*A. Provisions brought into force by the Minister of Transport*

*In Part I of the Act*

Sections 3(1)(a) and (e), (2) and (3), 4(1) and (3), and 5(3)(b).

*In Part III of the Act*

Sections 28(1) and 35.

*In Part IV of the Act*

Sections 38, 42 and 43.

*In Part VII of the Act*

Section 112(7).

*In Part X of the Act*

Sections 150 and 165 (so far as it relates to those provisions of Schedule 18 to the Act specified below).

*In the Schedules to the Act*

In Schedule 18—

(a) In Part I of that Schedule—the following **REPEALS IN THE TRANSPORT ACT 1962 (10 & 11 ELIZ. 2. C. 46)**—

Section 2.

In section 4, as from the appointed day for the purposes of the transfer to the Bus Company under section 29(2) of this Act, subsection (2)(a) and (b) and subsections (3) and (4).

Section 18(1).

In section 19(3), as from 1st January 1969, paragraph (b) from “but” onwards and paragraph (i).

Sections 20(6), 22(7), 23(2), (3), (5) and (6) and 25(4).

In section 39(6), the words “Subject to the next following section”.

Sections 40 and 42(2).

In section 53, paragraph (a) of subsection (1), subsection (2), and in subsection (4) the words “paragraph (b) of subsection (2) or”.

Section 56(11), (16) and (18).

In Section 85(1), the words from “Before the entry relating to the Research” onwards.

In Schedule 1, in the heading, the words “THE REGIONAL RAILWAY BOARDS” and Part II.

In Schedule 7, paragraphs 9 and 10.

In Schedule 11, in Part II, in paragraph 1, the words “In subsection (5) of section 2 and”.

## (b) In Part III of that Schedule—the following MISCELLANEOUS REPEALS—

Chapter	Short Title	Extent of Repeal
51 & 52 Vict. c. 25.	The Railway and Canal Traffic Act 1888.	Section 45.
5 & 6 Eliz. 2. c. 20.	The House of Commons Disqualification Act 1957.	In Part II of Schedule 1, and in the Part substituted therefor by Schedule 3, the entry "A Regional Railway Board."

*B. Provisions which refer to the Scottish Transport Group and are brought into force with respect to that Group by the Minister of Transport and the Secretary of State acting jointly but which are brought into force in all other respects by the Minister of Transport*

*In Part III of the Act*

Sections 27(1)(a) and (e), (2) and (3), 28(2) and (3), and 29(2) to (4).

*In Part IV of the Act*

Sections 41 (except subsection (8)), and 53 to 55.

*In the Schedules to the Act*

Schedule 2.

*C. Provisions brought into force by the Minister of Transport and the Secretary of State acting jointly*

*In Part III of the Act*

Sections 34 and 36.

*In Part IV of the Act*

Section 44.

*In Part VIII of the Act*

Section 116 (except in so far as it applies to any highway carried by a bridge over an inland waterway of the British Waterways Board or any other installation or land used by that Board in connection with an inland waterway).

Section 117 (except in so far as it applies to any bridge which carries a highway over an inland waterway of the British Waterways Board or any other installation or land used by that Board in connection with an inland waterway).

Section 118.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order brings into operation on 18th November 1968 Part I (Integration of Freight Transport Services) of the Transport Act 1968 to the extent specified in Schedule 1 to this Order, all of Part II (Passenger Transport Areas), Parts III (Bus and Ferry Services) and IV (Further Provisions as to Boards, New Authorities and Transport Services) to the extent specified in Schedule 1 to this Order, all of Part VII (Inland Waterways) (except section 112(7)), sections 119-125 in Part VIII (Bridges, Level Crossings, etc.), sections 132 and 133 in Part IX (Regulation of Road Traffic) and section 130(5)(c) for the purpose of enabling procedure regulations to be made under section 84C of the Road Traffic Regulation Act 1967, all of Part X (Miscellaneous and General) except section 150 but including section 165 so far only as it relates to the provisions of Parts I and III of Schedule 18 to the Act specified in Schedule 1 to this Order, and the Schedules to the Act relating to these provisions.

The Order also brings into operation on 1st January 1969 the remainder of Parts I, III, IV and VII of the Act, in Part VIII sections 116 and 117 to the extent specified in Part C of Schedule 2 to this Order and section 118, in Part X section 150 and section 165 so far as it relates to the provisions of Parts I and III of Schedule 18 to the Act specified in Schedule 2 to this Order, and Schedule 2 to the Act.