

1973 No. 675

COUNTER-INFLATION
**The Counter-Inflation (Modification of Transport Enactments)
Order 1973**

<i>Made</i>	- - -	<i>3rd April 1973</i>
<i>Laid before Parliament</i>		<i>4th April 1973</i>
<i>Coming into Operation</i>		<i>10th April 1973</i>

The Secretary of State, in exercise of the powers conferred on him by section 8 of the Counter-Inflation Act 1973^(a) and of all other enabling powers, hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Counter-Inflation (Modification of Transport Enactments) Order 1973 and shall come into operation on 10th April 1973.

(2) In this Order—

“the traffic commissioners” means the traffic commissioners for any traffic area constituted for the purposes of Part III of the Road Traffic Act 1960^(b);

“the metropolitan traffic commissioners” means the traffic commissioners for the Metropolitan Traffic Area;

“the code” means the code for the time being contained in an order under section 2 of the Counter-Inflation Act 1973; and

“the Price Commission” means the Price Commission established under section 1 of the said Act of 1973.

(3) The Interpretation Act 1889^(c) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Modification of transport enactments

2. The Secretary of State hereby directs that the provisions of the Acts mentioned in Articles 3 and 4 of this Order (being provisions which relate, inter alia, to the charging of bus fares) shall, while Part II of the Counter-Inflation Act 1973 is in force, have effect subject to the modifications respectively specified in those Articles in relation to those provisions.

3.—(1) This Article applies in relation to the following provisions, that is to say—

(a) section 135(4) of the Road Traffic Act 1960 (which confers power on

^(a) 1973 c. 9.
^(c) 1889 c. 63.

^(b) 1960. c. 16.

the traffic commissioners to fix bus fares by conditions attached to road service licences);

(b) section 30(3) of the Transport Act 1968(a) (which confers similar power on the traffic commissioners in relation to conditions attached to permits for certain bus services in lieu of road service licences); and

(c) paragraph 9(2) of Schedule 4 to the Transport (London) Act 1969(b) (which confers a right of appeal to the metropolitan traffic commissioners against the refusal or failure of the London Transport Executive to make a variation of a term or condition attached to a consent to operate certain bus services in Greater London).

(2) While Part II of the Counter-Inflation Act 1973 is in force, the traffic commissioners, or, as the case may be, the metropolitan traffic commissioners, in performing their functions under the provisions to which this Article applies, insofar as those provisions relate to the fixing of bus fares, shall have regard to such of the provisions of the code as concerns prices.

4. While Part II of the Counter-Inflation Act 1973 is in force, section 23(2) of the Transport (London) Act 1969 (which prohibits the provision of a London bus service except in pursuance of an agreement with the London Transport Executive or a consent continued in force or granted under Schedule 4 to that Act) shall have effect subject to the modification that where, in relation to any such agreement or consent, the London Transport Executive propose—

(a) to include a term or to attach a condition with respect to the fares that may be charged in the provision of the bus service to which the agreement or consent relates; or

(b) to make a variation of any such term or condition,

the Executive shall, in determining the amount of any such fares, have regard to such of the provisions of the code as concerns prices.

Signed by authority of the Secretary of State.
3rd April 1973.

John Peyton,
Minister for Transport Industries,
Department of the Environment.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order modifies the provisions of the Acts mentioned in Articles 3 and 4 of the Order (being provisions which relate to bus fares) so as to provide that, while Part II of the Counter-Inflation Act 1973 is in force, the bodies having the function of fixing bus fares under those provisions shall have regard to such of the provisions of the code (being the code of guidance on pay and prices prepared under section 2 of the Act) as concerns prices.

(a) 1968 c. 73.

(b) 1969 c. 35.

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