

1980 No. 1460**ROAD TRAFFIC****The Road Transport (Northern Ireland Passenger Services)
Regulations 1980**

<i>Made</i> - - - -	<i>23rd September 1980</i>
<i>Laid before Parliament</i>	<i>13th October 1980</i>
<i>Coming into Operation</i>	<i>3rd November 1980</i>

The Minister of Transport in exercise of the powers conferred by sections 159(1) and 160(1) of the Road Traffic Act 1960(a), and now vested in him (b), and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 260(2) of that Act, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Road Transport (Northern Ireland Passenger Services) Regulations 1980 and shall come into operation on 3rd November 1980.

Interpretation

2. In these Regulations—

“Council Regulation No. 117/66” means Regulation No. 117/66/ EEC of the Council of 28 July 1966 on the introduction of common rules for the international carriage of passengers by coach and bus(c);

“public service vehicle” shall be construed in accordance with section 2 of the Act of 1980;

“the Act of 1960” means the Road Traffic Act 1960; and

“the Act of 1980” means the Transport Act 1980(d).

Application

3. These Regulations apply in relation to public service Vehicles authorised under the law of Northern Ireland to carry passengers for reward in Northern Ireland and used for the carriage of passengers on services between Northern Ireland and Great Britain, but do not apply in relation to such vehicles used for the carriage of passengers outside the United Kingdom.

(a) 1960 c.16; section 160(1) was amended by the European Communities Act 1972 (c. 68), section 4 and Schedule 4, paragraph 10, and by the Transport Act 1980(c.34) section 43 and Schedule 5, paragraph 11 in Part I, and section 159(1) was amended by the Transport Act 1980, section 38.
 (b) S.I. 1970/1681 and 1979/571. (c) O.J. No. L.147, 9.8.1966, p.2688.
 (d) 1980 c.34.

Regular and shuttle services

4. In relation to a public service vehicle to which these Regulations apply used to provide a service for the carriage of passengers of a description such as is mentioned in Article 1 or 2 of Council Regulation No. 117/66 (that is to say, a regular service, a special regular service or a shuttle service as defined in those Articles), the provisions of Part III of the Act of 1960 and Part I of the Act of 1980 shall have effect as if section 144 of the Act of 1960 and section 4 of the Act of 1980 were omitted and as if for section 127 of the Act of 1960 there were substituted the following section:—

“127.—(1) No person shall cause or permit a vehicle to be used on a road for the carriage of passengers unless there is in force and is carried on the vehicle a Great Britain (Northern Ireland passenger transport service) authorisation.

(2) An authorisation under this section may authorise the use of the vehicle or vehicles to which it relates on a specified occasion or during a specified period.

(3) A certifying officer or public service vehicle examiner may, on production if so required of his authority, require the driver of any such vehicle as is referred to in subsection (1) above, to produce and to permit him to inspect and copy a Great Britain (Northern Ireland passenger transport service) authorisation relating to the vehicle, and for that purpose may require the vehicle to be stopped and may detain the vehicle for such time as is required for the purpose of inspecting and copying the authorisation.

(4) A person who—

(a) without reasonable excuse, contravenes subsection (1) of this section, or

(b) without reasonable excuse, fails to comply with a requirement of a certifying officer or public service vehicle examiner, or wilfully obstructs an officer or examiner, in exercise of his powers under subsection (3) of this section,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £200.

(5) In this section “specified” means specified in the authorisation, and “Great Britain (Northern Ireland passenger transport service) authorisation” means an authorisation issued by the Minister of Transport for the use of a vehicle or vehicles to which it relates for the carriage of passengers by road in Great Britain.”

Occasional services

5. In relation to a vehicle to which these Regulations apply used to provide a service for the carriage of passengers of a description such as is mentioned in Article 3 of Council Regulation No. 117/66 (that is to say an occasional service as defined in that Article) the provisions of Part III of the Act of 1960 and Part I of the Act of 1980 shall have effect as if sections 127 and 144 of the Act of 1960 and section 4 of the Act of 1980 were omitted.

Applications for issue of, and fees payable in respect of, authorisations

6.—(1) An application for an authorisation required by section 127 of the Act of 1960, as modified by these Regulations, for the use of a vehicle for the

international carriage of passengers by road shall be made to the Minister of Transport.

(2) An applicant for an authorisation required by that said section 127, as so modified, shall pay, when the application is made, a fee of £10 in respect of the application.

Disapplication of requirements as to fitness, equipment and use of public service vehicles

7. None of the provisions of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations 1972^(a) shall have effect in relation to a vehicle to which these Regulations apply.

23rd September 1980.

Norman Fowler
Minister of Transport.

^(a) S.I. 1972/751, amended by S.I. 1976/726 and 1980/141.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations exempt vehicles authorised under the law of Northern Ireland for the carriage of passengers for reward in Northern Ireland, when used in Great Britain for the carriage of passengers on certain services between Northern Ireland and Great Britain, from the requirements of sections 127 and 144 of the Road Traffic Act 1960 (which lay down requirements as to the licensing of public service vehicles and their drivers) and section 4 of the Transport Act 1980 (which requires stage carriage services to be provided under a road service licence). In the case of vehicles used on regular and shuttle services as defined in Council Regulation No. 117/66 (Regulation 2) the vehicles must be used in Great Britain under an authorisation issued by the Minister of Transport (Regulation 4).

Regulation 6 provides for applications for such authorisations to be made to the Minister of Transport and that the applicant shall pay a fee of £10 in respect of the application.

Regulation 7 disapplies the requirements of the Public Service Vehicles (Conditions of Fitness, Equipment and Use) Regulations 1972 (S.I. 1972/751) in the case of vehicles to which these Regulations apply as defined in Regulation 3.

The Regulations replace the provision made by Regulation 12 of the Road Transport (International Passenger Services) Regulations 1973 (S.I. 1973/806) as amended by the Road Transport (International Passenger Services) (Amendment) Regulations 1979 (S.I. 1979/654) as to shuttle services in relation to vehicles within the scope of these Regulations and they make new provision as to regular services and occasional services (Regulation 5). The said Regulations of 1973 and 1979 are revoked by the Road Transport (International Passenger Services) Regulations 1980 (S.I. 1980/1459).

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