
STATUTORY INSTRUMENTS

1980 No.913 (C.36)

ROAD TRAFFIC

**The Transport Act 1980 (Commencement
No. 1) Order 1980**

Made - - - - - *2nd July 1980*

The Minister of Transport, in exercise of the powers conferred by section 70(5) and (6) of the Transport Act 1980(a), (hereinafter referred to as "the 1980 Act") and of all other enabling powers, hereby makes the following Order:—

1. This Order may be cited as the Transport Act 1980 (Commencement No. 1) Order 1980.

2. The provisions of—

(a) the sections of the 1980 Act specified in column (1) of Part I of the Schedule to this Order (which relate to the subject matter specified in column (2) of that Schedule in respect of those sections),

(b) the paragraphs of Schedule 5 to the 1980 Act specified in column (1) of Part II of the Schedule to this Order (which relate to the sections of the 1960 Act(b) specified in column (2) of that Schedule in respect of those paragraphs), and

(c) the repeals specified in Part I of Schedule 9 to the 1980 Act relating to provisions of the enactments specified in Part III of the Schedule to this Order

shall come into operation on 31st July 1980.

3. The reference in section 27(1) of the 1980 Act to a standard licence shall, from the date on which this Order is made until the date on which this Article is revoked, be construed as a reference to a standard licence as defined in Regulation 2(1) of the Public Service Vehicle Operators (Qualifications) Regulations 1977(c).

4. The reference in section 36 of the 1980 Act to a public service vehicle shall, from the date on which this Order is made until the date on which this Article is revoked, be construed as a reference to a public service vehicle as defined in section 117 of the 1960 Act.

(a) 1980 c.34

(b) 1960 c.16.

(c) S.I. 1977/1461.

5. The reference in section 121(4)(b) and (c) of the 1960 Act, as substituted by section 39 of the 1980 Act, to a panel of persons shall, until panels are constituted under the said section 121(4)(b) and (c) as so substituted and in accordance with regulations made under section 121(5) of the 1960 Act (as substituted by section 39 of the 1980 Act), be construed as references to panels constituted respectively under section 121(4)(b) and (c) of the 1960 Act in its original form and in accordance with the Traffic Commissioners (Nominations to Panels) Regulations 1962(a).

6. All appointments of traffic commissioners due to end on 14th November 1980 are hereby extended to 31st March 1981 and the terms of service of such commissioners which apply as respects the period immediately prior to 14th November 1980 shall continue to apply from that date until 31st March 1981.

7. The reference in paragraph 6(2) of Part I of Schedule 5 to the 1980 Act to the holder of the PSV operator's licence under which the vehicle is being used shall, from the date on which this Order is made until the date on which this Article is revoked, be construed as a reference to the holder of the public service vehicle licence granted under section 127 of the 1960 Act relating to the vehicle in relation to which the inspector is exercising his authority.

8. In this Order, and in any of the provisions of the 1980 Act which are mentioned in Article 2 above, a reference to "the 1960 Act" shall be construed in accordance with section 44(1) of the 1980 Act.

2nd July 1980.

Norman Fowler
Minister of Transport.

SCHEDULE

(PROVISIONS OF 1980 ACT COMING INTO OPERATION ON 31ST JULY 1980)

PART I

(1) Sections of the 1980 Act	(2) Subject matter of sections
Section 1(3) and (4) so far as it relates to the other sections specified in this Part of this Schedule.	Provision that Part I of the 1980 Act shall be construed and have effect as if it were (except so far as it textually amends any enactment) contained in Part III of the 1960 Act and that any reference to the said Part III in any statutory provision not contained in either the said Part I or the said Part III shall, unless the context otherwise requires, be construed as including a reference to the said Part I.
Section 27	Provision for application by a person who wishes, in another Member State or in Northern Ireland, to carry on a road passenger transport business or to be the transport manager of such a business for a certificate as to his repute and professional competence and, where relevant, his financial standing.
Section 36	Amendment of subsection (1) of section 144 of the 1960 Act (drivers' and conductors' licences) so that it shall cease to have effect so far as it requires a person acting as a conductor of a public service vehicle on a road to be licensed for that purpose under that section or prohibits the employment for that purpose of a person not so licensed.
Section 39	Amendment of section 121 of the 1960 Act (appointment etc. of traffic commissioners) so as to substitute for subsections (4) and (5) (appointments, and constitution of panels of nominees for appointment) new subsections of those numbers and relating to the same matters.
Section 43(1) in so far as it relates to the provisions of the 1960 Act mentioned in Part I of Schedule 5 specified below.	Minor amendments to the 1960 Act and amendments consequential to the provisions of Part I of the 1980 Act.

PART I (continued)

(1) Sections of the 1980 Act	(2) Subject matter of sections
Section 64	Provision to prohibit the display on or above the roof of any vehicle which is carrying passengers for hire or reward, but which is not a taxi, of certain signs.
Section 69 in so far as it relates to the enactments mentioned in Part I of Schedule 9 specified below.	Repeal of other enactments.

PART II

(1) Paragraphs of Part I of Schedule 5 to the 1980 Act	(2) Sections of the 1960 Act to which paragraphs specified in column (1) relate
Paragraph 4 in so far as it relates to or consists of sub-paragraph (a).	Section 144 (drivers' licences).
Paragraphs 5 and 6.	Section 146 (regulations of conduct of drivers and conductors) and section 147 (regulations of conduct of passengers).
Paragraph 12 in so far as it relates to or consists of sub-paragraphs (c), (d) or (e).	Sections 233 (forgery and misuse of documents) and 235 (false statements to obtain licence etc.)
Paragraph 14	Section 257(1) (general interpretation).
Paragraph 15	Section 260(2) (consultation before regulations are made).

PART III

Repeals specified in Part I of Schedule 9 to the 1980 Act relating to provisions of:—

1. The 1960 Act

In section 144, the words “or act as conductor of”, wherever occurring, and, in sub-section (3), the words from “and for” to “eighteen”;

In section 145(1) the words “or act as conductor of”;

In section 147(1)(d), the words “or other person authorised by the licensee of the vehicle”;

In section 154, the words “or act as conductor of”;

In section 155, the words “or act as conductor of”;

In section 158, the words “or act as conductor of”;

In section 160(1)(f), the words “and conductors”;

In section 163(1) the words “or act as conductor of”;

2. The Transport (London) Act 1969(a)

in section 24(2), the words “or act as a conductor of”;

Section 24(3);

3. The Local Government (Scotland) Act 1973(b)

In Schedule 18, paragraph 30;

4. The Road Traffic Act 1974(c)

In Schedule 6, in paragraph 2, the words “or act as a conductor of”;

5. The Energy Act 1976(d)

In Schedule 1, in paragraph 2, the words “or act as a conductor of” in both places where they occur.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 31st July 1980 the provisions of the Transport Act 1980 which are specified in Parts I, II and III of the Schedule to this Order. Those provisions relate to—

- (a) applications by a person who wishes to carry on a road passenger transport business or to be the transport manager of such a business for a certificate as to his repute and professional competence and, where relevant, his financial standing;
- (b) the abolition of the requirement for licences to enable persons to act as conductors of public service vehicles;
- (c) the appointment of traffic commissioners and the constitution of panels of nominees for appointment;
- (d) the prohibition of certain roof signs on certain vehicles;
- (e) minor and consequential amendments and repeals.