
STATUTORY INSTRUMENTS

1986 No. 1450 (c. 49)

TRANSPORT

The Transport Act 1985 (Commencement No. 5) Order 1986

Made - - - - 22nd August 1986

The Secretary of State for Transport, in exercise of the powers conferred by section 140(2) and (3) of the Transport Act 1985, and of all other enabling powers, hereby makes the following Order:

Citation and interpretation

- 1.—(1) This Order may be cited as the Transport Act 1985 (Commencement No. 5) Order 1986.
(2) In this Order—
“the 1981 Act” means the Public Passenger Vehicles Act 1981;
“the 1985 Act” means the Transport Act 1985; and
“road service licence” has the meaning given in section 82(1) of the 1981 Act.

Commencement of provisions

2. The provisions of the 1985 Act specified in the first column of the Schedule to this Order (which relate to the matters specified in the second column of that Schedule) shall come into operation on 15th September 1986 subject to the limitations (if any) specified in the third column of the Schedule.

Transitional provisions

3.—(1) Notwithstanding paragraph 25(9) of Schedule 6 to the 1985 Act, rules made by the Secretary of State under paragraph 11 of Schedule 4 to that Act shall not apply to proceedings in which an appeal is lodged with the Transport Tribunal before such rules come into force; and the proceedings with respect to any such appeal shall be subject, in accordance with paragraph 25(3) of that Schedule 6, to the rules made by the Tribunal under paragraph 11 of Schedule 10 to the Transport Act 1962(1)

(2) The substitution of sections 50 and 51 of the 1981 Act by section 31 of the 1985 Act shall not have effect in relation to any appeal or other proceedings with respect to:

- (a) any decision of a traffic commissioner in relation to a PSV operator's licence or a condition attached thereto where—

(1) the rules are contained in S.I. 1965/1687, as amended by S.I. 1970/491 and 1973/934.

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- (i) the date of the decision, if that decision was given orally at an inquiry, or
 - (ii) in any other case, the date of the notice of that decision sent by the traffic commissioner to the person who may appeal,
- is before 15th September 1986; or
- (b) a road service licence or a condition attached thereto until section 1(1) of the 1985 Act (abolition of road service licensing) comes into operation.

Signed by authority of the Secretary of State.

22nd August 1986

Peter Bottomley
Parliamentary Under Secretary of State
Department of Transport

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SCHEDULE

PROVISIONS COMING INTO OPERATION ON 15TH SEPTEMBER 1986

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>	<i>Limitations on Commencement</i>
Section 31.	Appeals under the 1981 Act.	
Section 104.	Travel concessions on services provided by Passenger Transport Executives.	
Section 117.	Reconstitution of the Transport Tribunal.	
Section 139(1), (2) and (3).	Transitional provisions, minor and consequential amendments and repeals.	To the extent that these subsections relate to the provisions of Schedules 6, 7 and 8 brought into force by this Order.
Schedule 4.	Constitution, powers and proceedings of the Transport Tribunal.	
Schedule 6, paragraphs 24 and 25.	Transitional provisions regarding travel concessions on services provided by Passenger Transport Executives and regarding the Transport Tribunal.	
Schedule 7, paragraphs 7, 8 15 and 21(3) and (11).	Minor and consequential amendments.	
Schedule 8.	Repeals.	To the extent that it relates to the repeals set out in the Appendix to this Schedule.

EXPLANATORY NOTE

This Order brings into force on 15th September 1986 the provisions of the Transport Act 1985 listed in the Schedule (including its Appendix). These provisions include those relating to—

- (1) appeals under the Public Passenger Vehicles Act 1981, substituting sections 50 and 51 of that Act (section 31);
- (2) travel concessions on services provided by Passenger Transport Executives (section 104); and
- (3) the reconstitution of the Transport Tribunal (section 117 and Schedule 4).

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NOTE AS TO EARLIER COMMENCEMENT ORDERS

Provision	Date of Commencement	S.I. No.
Sections 1(3)*, 2, 3, 4*, 5.	6th January 1986	1985/1887
Sections 7, 8, 9.	14th July 1986	1986/1088
Sections 10, 11.	1st August 1986	1986/1088
Section 12.	6th January 1986	1985/1887
Section 13.	6th January 1986	1985/1887
	1st August 1986	1986/1088
Section 16.	6th January 1986	1985/1887
Sections 17, 18*, 22, 23.	1st August 1986	1986/1088
Sections 29, 30, 32*.	6th January 1986	1985/1887
Section 33.	1st August 1986	1986/1088
Sections 34, 47–56.	6th January 1986	1985/1887
Section 57.	6th January 1986	1985/1887
	1st April 1986	1986/414
Sections 59–84, 87–92.	6th January 1986	1985/1887
Section 93.	14 February 1986	1986/80
	1st April 1986	1986/414
Sections 94–101.	14 February 1986	1986/80
Section 102.	1st April 1986	1986/414
Sections 103, 105.	14 February 1986	1986/80
Section 106.	6th January 1986	1985/1887
Section 107.	1st April 1986	1985/1887
Sections 108, 109.	1st April 1986	1986/414
Sections 110, 112, 113.	6th January 1986	1985/1887
Sections 114, 115.	26th July 1986	1986/1088
Section 116.	1st April 1986	1986/414
	26th July 1986	1986/1088
Sections 118–125.	6th January 1986	1985/1887
Section 126*	14th July 1986	1986/1088
	1st August 1986	
Section 127*	6th January 1986	1985/1887
	1st August 1986	1986/1088

Provision	Date of Commencement	S.I. No.
Sections 128–138.	6th January 1986	1985/1887
Section 139*	6th January 1986	1985/1887
	1st April 1986	1986/414
	26th July 1986	1986/1088
	1st August 1986	
Schedules 1*, 2.	6th January 1986	1985/1887
Schedule 3.	6th January 1986	1985/1887
	1st April 1986	1986/414
Schedule 5.	6th January 1986	1985/1887
Schedule 6*	6th January 1986	1985/1887
	14th February 1986	1986/80
	1st April 1986	1986/414
Schedule 7*	6th January 1986	1985/1887
	14th February 1986	1986/80
	1st April 1986	1986/414
	1st August 1986	1986/1088
Schedule 8*	6th January 1986	1985/1887
	1st April 1986	1986/414
	26th July 1986	1986/1088

An asterisk (*) indicates that the provision was only brought into force partially.