
STATUTORY INSTRUMENTS

1995 No. 185

PUBLIC PASSENGER VEHICLES

**The Public Service Vehicles (Lost
Property) (Amendment) Regulations 1995**

<i>Made</i>	- - - -	<i>30th January 1995</i>
<i>Laid before Parliament</i>		<i>7th February 1995</i>
<i>Coming into force</i>	- -	<i>1st March 1995</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 60(1) of the Public Passenger Vehicles Act 1981(1) and of all other powers enabling him in that behalf, and after consultation with representative organisations in accordance with section 61(2) of that Act, hereby makes the following Regulations:—

1. These Regulations may be cited as the Public Service Vehicles (Lost Property) (Amendment) Regulations 1995 and shall come into force on 1st March 1995.

2.—(1) The Public Service Vehicles (Lost Property) Regulations 1978(2) shall be amended as follows.

(2) In regulation 3(1) the following definition shall be substituted for the definition of “vehicle”—
““vehicle” means a vehicle which is a public service vehicle (within the meaning given by section 1 of the Public Passenger Vehicles Act 1981), but does not include a vehicle used under a permit granted under section 19 of the Transport Act 1985(3) (educational and other bodies) in circumstances where the requirements mentioned in subsection (2) of that section are met;”.

(3) In regulation 7(3) for the word “twelve” there shall be substituted “six”.

(4) The following regulation shall be substituted for regulation 8—

“8. An operator or his representative shall be entitled to retain custody of any property accidentally left in a vehicle but, if the property is claimed while it is in the custody of the operator or his representative and the claimant satisfies the operator or representative that he is the owner and gives him his name and address, it shall thereupon be returned to the claimant on payment, if required by the operator or his representative, of a charge of an amount not exceeding £2”.

(5) The following regulation shall be substituted for regulation 9—

(1) 1981 c. 14. Sections 60(1) and 61(2) were amended by the Transport Act 1985 (c. 67) Schedule 8.
(2) S.I.1978/1684, amended by S.I. 1981/1623.
(3) 1985 c. 67.

“9. If, within one month of the date on which any property was delivered to an operator or his representative in accordance with these Regulations—

- (a) the property is not claimed;
- (b) no person satisfies the operator or his representative that he is the owner of the property; or
- (c) a person satisfies the operator or his representative that he is the owner but refuses or omits to give his name and address or to pay the charge in accordance with regulation 8,

the property shall vest in the operator who may dispose of it as he thinks fit”.

(6) Schedule 2 shall be omitted.

Signed by authority of the Secretary of State

Department of Transport
30th January 1995

Steven Norris
Parliamentary Under Secretary of State,

EXPLANATORY NOTE

(This notice is not part of the Regulations) These Regulations amend the Public Service Vehicles (Lost Property) Regulations 1978. The definition in regulation 3(1) of the sort of vehicle to which those Regulations apply is modified to exclude vehicles used under permits granted to educational and other bodies under section 19 of the Transport Act 1985. The period during which, under regulation 7(2) of the 1978 Regulations, the operator of a public service vehicle must keep a record of lost property delivered to him is reduced from 12 months to six months. A new regulation 8 is substituted, under which the charge for the return of property is set at a maximum of £2 in all cases if demanded. A new regulation 9 is substituted, whereby lost property may be disposed of if it is not claimed, or a claim is not substantiated, within one month of its delivery to an operator or his representative.