
STATUTORY INSTRUMENTS

1996 No. 3088

PUBLIC PASSENGER TRANSPORT

**The Minibus and Other Section 19 Permit
Buses (Amendment) Regulations 1996**

Made - - - - *9th December 1996*
Laid before Parliament *11th December 1996*
Coming into force - - *1st January 1997*

The Secretary of State for Transport, in exercise of the powers conferred by section 60(1) and (1A) of the Public Passenger Vehicles Act 1981⁽¹⁾ and sections 21(1) and 137(1)(2) of the Transport Act 1985⁽³⁾, after consulting with representative organisations in accordance with section 61(2) of the Public Passenger Vehicles Act 1981, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Minibus and Other Section 19 Permit Buses (Amendment) Regulations 1996 and shall come into force on 1st January 1997.

Amendment of conditions to be fulfilled by driver of bus

2.—(1) The Minibus and Other Section 19 Permit Buses Regulations 1987⁽⁴⁾ shall be amended in accordance with paragraphs (2) and (3) below.

(2) In regulation 2, after the definition of “the 1985 Act”, there shall be inserted—

““the 1988 Act” means the Road Traffic Act 1988⁽⁵⁾”.

(3) For regulation 3 there shall be substituted—

“3.—(1) The driver of a vehicle used under a permit, if he is not the holder of—

(a) a passenger-carrying vehicle driver’s licence,

(1) 1981 c. 14. Sections 60 and 61 of the 1981 Act were amended by, respectively, section 134 and section 135(1) of the Transport Act 1985 and have effect by virtue of those sections as if Parts I and II of the 1985 Act were incorporated in the 1981 Act.
(2) See the definitions of “prescribed” and “regulations”.
(3) 1985 c. 67.
(4) S.I.1987/1230.
(5) 1988 c. 52. Section 88(1) was amended by section 3(2) of the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22). The definition of “PCV Community licence” was inserted in section 110(2) by the Driving Licences (Community Driving Licence) Regulations 1996 (S.I. 1996/1974).

- (b) a PCV Community licence, or
- (c) a Northern Ireland driving licence corresponding to a passenger-carrying vehicle driver's licence,

which authorises the driving of that vehicle, must fulfil either the conditions specified in paragraph (2) or the alternative conditions specified in paragraph (3).

- (2) The conditions are that he—
 - (a) is the holder of—
 - (i) a valid full licence granted under Part III of the 1988 Act,
 - (ii) a valid Northern Ireland licence corresponding to such a licence, or
 - (iii) a valid Community licence,authorising the driving of motor vehicles included in category B other than vehicles included in sub-category B1,
 - (b) has held that licence for a period of not less than 2 years in aggregate,
 - (c) is 21 years of age or over, and
 - (d) receives no payment or other consideration for driving the vehicle other than out-of-pocket expenses.
- (3) The alternative conditions are that he—
 - (a) was first granted a full licence under Part III of the 1988 Act before 1st January 1997,
 - (b) is the holder of a valid full licence granted under that Part of that Act authorising the driving of motor vehicles included in category B, other than vehicles included in sub-category B1, and sub-category D1 (not for hire or reward), and
 - (c) is 21 years of age or over.
- (4) For the purposes of this regulation—
 - (a) any expression which is also used in Parts III and IV of the 1988 Act has the same meaning as in those Parts of that Act;
 - (b) expressions relating to vehicle categories shall be construed in accordance with regulation 4(2)(a) and (b) of the Motor-Vehicles (Driving Licences) Regulations 1996(6);
 - (c) a person holds a valid full licence granted under Part III of the 1988 Act authorising the driving of motor vehicles included in any category or sub-category if he is authorised to drive such vehicles by virtue of section 88(1) of that Act.”.

Signed by authority of the Secretary of State for Transport

Department of Transport
9th December 1996

John Bowis
Parliamentary Under Secretary of State,

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Minibus and Other Section 19 Permit Buses Regulations 1987 by altering the conditions which must be met by a person driving a small bus under a section 19 permit. Following the amendment of section 18 of the Transport Act 1985 by the Driving Licences (Community Driving Licence) Regulations 1996 a person who does not hold a full passenger-carrying vehicle driver's licence may not, after 1st January 1997, drive large buses under such a permit. These provisions together give effect to Article 5.4(a) of Council Directive [91/439/EEC](#) (OJNo. L237, 24.8.91, p.1).

A driver of a small bus under a permit must be 21 or over and hold either a full British driving licence, a full Northern Ireland licence or an equivalent licence issued by a state or territory within the European Economic Area which authorises the driving of motor cars. If, however, he did not hold a full British licence before 1st January 1997, he must fulfil two additional conditions, namely that the licence must have been held for at least two years in aggregate and he must not receive any payment for driving other than out-of-pocket expenses.