
STATUTORY INSTRUMENTS

2009 No. 786

PUBLIC PASSENGER TRANSPORT

**The Public Service Vehicles (Operators’
Licences) (Amendment) Regulations 2009**

<i>Made</i>	- - - -	<i>25th March 2009</i>
<i>Laid before Parliament</i>		<i>30th March 2009</i>
<i>Coming into force</i>	- -	<i>20th April 2009</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 18(3)(aa), 60(1) and 60(1A) of the Public Passenger Vehicles Act 1981⁽¹⁾.

Representative organisations have been consulted with in accordance with section 61(2) of the 1981 Act⁽²⁾.

Citation and commencement

1. These Regulations may be cited as The Public Service Vehicles (Operators’ Licences) (Amendment) Regulations 2009 and shall come into force on 20th April 2009.

Amendments

2.—(1) The Public Service Vehicles (Operators’ Licences) Regulations 1995⁽³⁾ are amended as follows.

(2) In regulation 3(1), after the definition of “local authority”, there shall be inserted—
“notice of election” means a notice for the purposes of regulation 11(4) of these Regulations served prior to 20th April 2009;”

(3) In regulation 11 (which deals with the coming into force and expiry of discs)—

(a) in paragraph (2)(a), for “if paragraph (3) applies to the disc” there shall be substituted “in any case where a notice of election is in force”.

(b) paragraphs (3) and (4) shall be omitted.

(1) 1981 c.14. Paragraph (aa) of section 18(3) was inserted by section 63 of the Deregulation and Contracting Out Act 1994 (c.40) and section 60(1A) was inserted by section 134 of the Transport Act 1985 (c.67) (in these footnotes called “the 1985 Act”). For the definition of “prescribed” and “regulations”, see section 60(2) of the 1981 Act, as amended by the 1985 Act, section 134.

(2) Section 61(2) of the 1981 Act was amended by the 1985 Act.

(3) S.I. 1995/2908.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) for paragraph (5), there shall be substituted “All notices of election shall cease to have effect on 31 March 2010 or at the end of the current 1 year period of the relevant licence, if sooner.”
- (d) paragraphs (6) and (7) shall be omitted.

Signed by authority of the Secretary of State

25th March 2009

Jim Fitzpatrick
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Public Service Vehicles (Operators' Licences) Regulations 1995 ("the principal Regulations"). The amendments relate to the expiry of operators' discs issued under section 18 of the Public Passenger Vehicles Act 1981 ("the 1981 Act").

The principal Regulations provide, amongst other things, for the period of validity of discs issued under section 18 of 1981 Act, in circumstances where a Public Service Vehicle ("PSV") operator's licence is required under that Act.

Under regulation 11 of the principal Regulations, a disc generally expires at the end of the 5 year period of a PSV operator's licence. Regulation 11 also provided for operators to elect by notice, to pay related disc fees annually, in which case the disc would instead expire at the end of the 1 year period of a PSV operator's licence.

Regulation 2 of these Regulations amends regulations 3 and 11 of the principal Regulations, so as to remove the option of making such an election. Elections made prior to 20th April 2009 will, however, continue to have effect until 31 March 2010, or for the remainder of the 1 year period of the relevant licence in which the disc comes into force, if that 1 year period would end before that date.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the VOSA Corporate Office, Berkeley House, Croydon Street, Bristol BS5 0DA. The impact assessment is also annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website at www.opsi.gov.uk.