

SCHEDULE 1

PART 2

TRANSITIONAL PROVISIONS IN RELATION TO CERTAIN PROVISIONS COMING INTO FORCE ON 9TH FEBRUARY 2009

1. Notwithstanding the coming into force of section 51 of the Act, section 9 of the TA 1985 (appeals against traffic regulation conditions) is to continue to apply without the amendments made by section 51 of the Act as respects appeals made before 9th February 2009.

2.—(1) Notwithstanding the coming into force of section 62 of the Act, the powers of traffic commissioners conferred by section 26 of the TA 1985 (conditions attached to PSV operator's licence) are to continue to apply without the amendments made by section 62 of the Act as respects any failure to comply with requirements listed in that section which took place before 9th February 2009.

(2) Notwithstanding the coming into force of section 63 of the Act, the powers of traffic commissioners conferred by section 27A of the TA 1985 (additional powers where service not operated as registered) are not available to a traffic commissioner in any case where it appears to a traffic commissioner that an operator—

- (a) has, or may have, failed to operate a local service registered under section 6 of the TA 1985; or
- (b) has, or may have, failed to operate such a service in accordance with the particulars registered under that section,

and that failure, or alleged failure, took place before 9th February 2009.