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STATUTORY INSTRUMENTS

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**2013 No. 1644**

**TRANSPORT**

**The Local Transport Act 2008 (Traffic Commissioners)  
(Consequential Amendments) Order 2013**

*Made* - - - - *2nd July 2013*

*Coming into force* - - *3rd July 2013*

The Secretary of State makes the following Order in exercise of the powers conferred by section 6 of the Local Transport Act 2008 (“the 2008 Act”)(**1**).

The Administrative Justice and Tribunals Council has been consulted and that Council has consulted the Scottish and Welsh Committees, in accordance with section 44 of, and paragraph 24 of Schedule 7 to, the Tribunals, Courts and Enforcement Act 2007(**2**).

In accordance with section 6(6) of the 2008 Act, a draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament.

**Citation, commencement, extent and application**

**1.**—(1) This Order may be cited as the Local Transport Act 2008 (Traffic Commissioners) (Consequential Amendments) Order 2013 and comes into force on the day after the day on which it is made.

(2) Articles 2 and 3 and Schedules 1 and 2 extend to England and Wales and Scotland (but see article 2 in relation to Scotland).

(3) The amendments contained in Schedule 1 and Schedule 2 have the same extent as the enactments amended, except that nothing extends to Northern Ireland (and see article 2 in relation to Scotland).

(4) Articles 4 to 6 and Schedules 3 to 6 extend to England and Wales only (but see paragraphs (5) and (6)).

(5) Article 5 and Schedule 5 apply to England only.

(6) Article 6 and Schedule 6 apply to Wales only.

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(1) [2008 c.26](#).

(2) [2007 c.15](#). Traffic Commissioners are a listed tribunal for the purposes of paragraph 24 of Schedule 7 by virtue of the Administrative Justice and Tribunals Council (Listed Tribunals) Order 2007 ([S.I. 2007/2951](#)) and the Administrative Justice and Tribunals Council (Listed Tribunals) (Scotland) Order 2007 ([S.I. 2007/436](#)). The “Scottish Committee”, “Welsh Committee” and “procedural rules” are each defined in paragraph 28(1) of Schedule 7.

## Scotland

2. In their application in relation to Scotland, article 3 and Schedules 1 and 2 have effect only so far as relating to reserved matters, within the meaning of the Scotland Act 1998(3).

## Amendments – England and Wales and Scotland

3. In the tables in Schedules 1 (primary legislation) and 2 (subordinate legislation) the provisions specified in column 1 of each Schedule are amended as specified in column 2 of that Schedule.

## Amendments – England and Wales

4. In the tables in Schedules 3 (primary legislation) and 4 (subordinate legislation) the provisions specified in column 1 of each Schedule are amended as specified in column 2 of that Schedule.

## Amendments – England

5. In the table in Schedule 5 (subordinate legislation) the provisions specified in column 1 of that Schedule are amended as specified in column 2 of that Schedule.

## Amendments – Wales

6. In the table in Schedule 6 (subordinate legislation) the English and Welsh text of the provisions specified firstly in English and thereafter in Welsh in column 1 of that Schedule is amended as specified in English and Welsh respectively in column 2 of that Schedule.

## Transitional provisions

7.—(1) Nothing in this Order affects the validity of anything done by a traffic commissioner before the date on which this Order comes into force.

(2) Anything which immediately before the date on which this Order comes into force is in the process of being done by, or in relation to, a traffic commissioner for a traffic area in England and Wales or Scotland may be continued by, or in relation to, any traffic commissioner for England and Wales or, as the case may be, the Scottish traffic commissioner.

(3) Any notice served, action taken or other thing done, before the date on which this Order comes into force, under or pursuant to any provision amended by this Order has effect on or after that date as though validly served, taken or done under or pursuant to that provision as amended by this Order.

(4) Any debt or liability of or due to a traffic commissioner for a traffic area which is due or outstanding immediately before the date on which this Order comes into force is to be treated as a debt or liability of or due to (as the case may be) the senior traffic commissioner.

(5) Without prejudice to the generality of paragraphs (2) to (4), those paragraphs apply in particular to—

- (a) any decision or determination made by a traffic commissioner;
- (b) any licence, permission, consent, approval, authorisation, exemption, dispensation or relaxation granted by a traffic commissioner;
- (c) any notice, direction or certificate given by or to a traffic commissioner;

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(3) 1998 c.46. By virtue of subsection (4) of section 6 of the Local Transport Act 2008 the only provision that may be made by an order under that section in relation to Scotland is provision relating to reserved matters within the meaning of the Scotland Act 1998 (“the 1998 Act”). For “reserved matters” (in so far as relating to road transport) see Section E1 in Head E (transport) of Schedule 5 to the 1998 Act.

- (d) any application, request, proposal, representation or objection made to a traffic commissioner;
- (e) any condition or requirement imposed by a traffic commissioner;
- (f) any undertaking given to a traffic commissioner;
- (g) any matter affecting fees;
- (h) any appeal against a decision of a traffic commissioner and any order made on such an appeal;
- (i) any appeal allowed or dismissed by a traffic commissioner;
- (j) any proceedings instituted by or against a traffic commissioner.

(6) The first period ending on or after the date on which this Order comes into force for which annual reports are required to be made under section 55 of the Public Passenger Vehicles Act 1981<sup>(4)</sup> (annual report of traffic commissioners) is to be the period of one year immediately following the end of the last period, which ended before that date, in relation to which annual reports were required under that section.

(7) The annual reports which are made in relation to the first period ending on or after the date on which this Order comes into force are to cover all the proceedings of the reporting traffic commissioner during that period, whether as a traffic commissioner for a traffic area or as a traffic commissioner for England and Wales or, as the case may be, as the Scottish traffic commissioner.

Signed by authority of the Secretary of State for Transport

2nd July 2013

*Stephen Hammond*  
Parliamentary Under Secretary of State  
Department for Transport

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<sup>(4)</sup> 1981 c.14. Section 55 was amended by the Transport Act 1985 (c.67), section 3 and Schedule 2, Part 2, paragraph 4(15) and by S.I. 1984/31.

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## SCHEDULE 1

Article 3

## Amendments extending to England and Wales and Scotland – Primary Legislation

**The Transport Act 1968(5)**

<i>Provision</i>	<i>Amendment</i>
section 96(6) (permitted driving time and periods of duty),	In subsection (10)(b), for “the traffic commissioner for any area”, substitute “a traffic commissioner”.
section 98(7) (written records),	In subsection (3), for “the traffic commissioner for any area”, substitute “a traffic commissioner”.
section 99(8) (inspection of records and other documents),	In subsection (8), for “the traffic commissioner for any area”, substitute “a traffic commissioner”.
section 103(9) (interpretation, supplementary provisions, etc. for Part VI).	In subsection (5), for “The traffic commissioner for any area”, substitute “A traffic commissioner”.

**The Public Passenger Vehicles Act 1981(10)**

<i>Provision</i>	<i>Amendment</i>
section 3(11) (traffic areas),	For subsection (3), substitute— <p>“(3) An order under this section for varying the number or limits of traffic areas may contain such consequential and incidental provisions as appear to the Secretary of State to be necessary or expedient in consequence of the variations of areas to be affected by the order, including provisions—</p> <p>(a) as to the effect of licences previously issued, and consents previously given, by a traffic commissioner;</p> <p>(b) as to the effect of applications for licences or consents previously made to a traffic commissioner;</p> <p>(c) as to the continuance of appeals pending against decisions of a traffic commissioner; and</p> <p>(d) as to the recovery of any sums due to a traffic commissioner,</p>

- (5) [1968 c.73.](#)
- (6) Section 96(10) was amended by the Transport Act [1985 \(c.67\)](#), section 3 and Schedule 2, Part 2. There are other amendments to section 96 which are not relevant to this Order.
- (7) Section 98(3) was amended by the Transport Act 1985, section 3 and Schedule 2, Part 2. There are other amendments to section 98 which are not relevant to this Order.
- (8) Section 99(8) was amended by the Transport Act 1985, section 3 and Schedule 2, Part 2; the Road Traffic Act [1991 \(c.40\)](#), section 48 and Schedule 4, paragraph 2 and [S.I. 2005/1904](#), regulation 5(1) and (5)(a) and (b). There are other amendments to section 99 which are not relevant to this Order.
- (9) Section 103(5) was amended by the Transport Act 1985, section 3 and Schedule 2, Part 2 and [S.I. 1986/1458](#), regulation 3. There are other amendments to section 103 which are not relevant to this Order.
- (10) [1981 c.14.](#)
- (11) Section 3 was amended by the Local Transport Act [2008 \(c.26\)](#), section 1 and the Transport Act [1985 \(c.67\)](#), section 3(5) and Schedule 2, Part 2, paragraph 4(1) and (2).

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<i>Provision</i>	<i>Amendment</i>
	in relation to any traffic area abolished or changed.”
section 5(12) (publication of information by traffic commissioners),	In subsection (2), for the words from “Where the” to “Transport for London;”, substitute— “(2) Where a traffic commissioner publishes information under this section he shall— (a) send a copy of the publication— (i) to every chief officer of police, Passenger Transport Executive and local authority whose area the traffic commissioner considers may be affected by the information; and (ii) if the traffic commissioner considers that the information may affect Greater London, to Transport for London;”.
section 12(13) (PSV operators’ licences),	For subsections (2) and (3), substitute— “(2) The authority having power to grant a PSV operator’s licence is a traffic commissioner. (3) A person may hold two or more PSV operator’s licences but shall not at the same time hold more than one such licence in relation to the same traffic area. (3A) Subject to the provisions of this Part of this Act, a PSV operator’s licence authorises the holder to use anywhere in Great Britain a vehicle which has as its operating centre an operating centre specified in the licence.” In subsection (4)— (a) for “the traffic commissioner” substitute “a traffic commissioner”; and (b) for “the commissioner such information as he” substitute “the traffic commissioner dealing with the application such information as he or another traffic commissioner”.
section 14A(14) (objections to application for PSV operator’s licence),	In subsection (2A), for “the traffic commissioner”, substitute “a traffic commissioner”.
section 15(15) (duration of licences),	In subsection (3), for the words from “requests” to “shall,” substitute “requests a traffic commissioner to terminate it at any time, he or another traffic commissioner must,”.

(12) Section 5 was substituted by the Transport Act 1985, section 3(2) and amended by [S.I. 2003/1615](#), article 2 and Schedule 1, Part 1, paragraph 8. There are other amendments to section 5 which are not relevant to this Order.

(13) Section 12(3) was amended by the Transport Act 1985 (c.67), section 3 and Schedule 2, Part 2. There are other amendments to section 12 which are not relevant to this Order. Subsection (3) is also modified in its application to persons in partnership by the Operation of Public Service Vehicles (Partnership) Regulations 1986, [S.I. 1986/1628](#), regulation 5(1) and the Schedule, Part 1 (see the relevant entry in Schedule 2 to this Order). The Public Passenger Vehicles Act 1981 (c.14) has effect, in relation to a vehicle being used for the purposes of UK cabotage transport operations, as if section 12 was omitted, by virtue of the Public Service Vehicles (Community Licences) Regulations 2011, [S.I. 2011/2634](#), regulation 18.

(14) Section 14A was inserted by the Transport Act 1985, section 25. Subsection (2A) was inserted by the Deregulation and Contracting Out Act 1994 (c.40), section 60. There are other amendments which are not relevant to this Order.

(15) Section 15 was amended by the Deregulation and Contracting Out Act 1994, section 61.

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<i>Provision</i>	<i>Amendment</i>
	In subsection (4), for the words from “The traffic commissioner” to “he”, substitute “A traffic commissioner may refuse to comply with such a request if he or another traffic commissioner”.
section 16(16) (conditions attached to licences),	<p>In subsection (1), for “area of that commissioner”, substitute “traffic area to which that licence relates”.</p> <p>In subsection (3), for the words from “A traffic commissioner” to “granted by him”, substitute “A traffic commissioner may attach to a PSV operator’s licence (whether at the time when the licence is granted or at any later time)”.</p> <p>In subsection (5), for the words from “The traffic commissioner” to “in force”, substitute “At any time while a PSV operator’s licence is in force, a traffic commissioner may”.</p> <p>In subsection (6)—</p> <p>(a) for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”; and</p> <p>(b) in the words following paragraph (c), for the words from “the traffic commissioner” to “duties”, substitute “the traffic commissioner dealing with the application such information as he or another traffic commissioner may reasonably require for the discharge of duties of a traffic commissioner”.</p> <p>In subsections (6A) and (6B), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (8), for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”.</p> <p>In subsection (9)—</p> <p>(a) for “by the traffic commissioner for any area” substitute “in relation to a traffic area”; and</p> <p>(b) for paragraph (a) substitute—</p> <p style="padding-left: 40px;">“(a) under a PSV operator’s licence granted to the holder of that licence in relation to any other traffic area.”</p>
section 16A(17) (conditions as to matters required to be notified),	In subsection (1)(a) and (b), for “the commissioner”, substitute “a traffic commissioner”.
section 17(18) (revocation, suspension etc. of licences),	<p>In subsection (1), for the words from “The traffic” to “revoke the”, substitute “A traffic commissioner must revoke a standard”.</p> <p>In subsection (2)—</p>

- (16) Section 16 was amended by the Transport Act 1985, sections 3, 24(1) and 139(2) and (3) and Schedule 2, Part 2, paragraph 4(7) (a), (b), (c), (d), (e) and (f), Schedule 7, paragraph 21(4) and Schedule 8. Subsection (6) was also amended by the Deregulation and Contracting Out Act 1994, sections 59(4), 68 and 81 and Schedule 14, paragraph 4 and Schedule 17. Subsections (6A) and (6B) were inserted by section 59(5) of that Act. There are other amendments which are not relevant to this Order.
- (17) Section 16A was inserted by S.I. 1999/2431, regulation 5 and was amended by S.I. 2011/2632, regulation 7(1) and Schedule 1, paragraph 5.
- (18) Section 17 was amended by the Transport Act 1985 (c.67), sections 3 and 139(2) and Schedule 2, part 2, paragraph 4(8)(a), (b), (c) and (d) and Schedule 7, paragraph 21(5) and (6), by the Deregulation and Contracting Out Act 1994 (c.40), sections 59(6), 62(2) and (3), 68 and 81, Schedule 14, paragraph 5(1) and (2) and Schedule 17 and by S.I. 2011/1632, regulation 7(1) and Schedule 1, paragraph 6. Subsection (1) is also modified in its application to persons in partnership by S.I. 1986/1628, regulation 5(1) and the Schedule, Part 1 (see the relevant entry in Schedule 2 to this Order).

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<i>Provision</i>	<i>Amendment</i>
	<p>(a) for the words from “the traffic commissioner” to “was granted”, substitute “a traffic commissioner”;</p> <p>(b) in paragraph (a), for “the licence”, substitute “a PSV operator’s licence”;</p> <p>(c) in paragraph (b), for “the licence”, substitute “such a licence”; and</p> <p>(d) in paragraph (d), for “the licence” in both places where those words occur, substitute “such a licence”.</p> <p>In subsection (4), for “him to do so”, substitute “that an inquiry be held”.</p> <p>In subsection (5B), for the words from “A traffic commissioner” to “this section”, substitute “Where a licence is suspended under this section, a traffic commissioner”.</p>
section 18(19) (duty to exhibit operator’s disc),	In subsections (2B) and (2C), for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”.
section 19(20) (duty to inform traffic commissioners of relevant convictions etc.),	<p>In subsection (1), for “to whom the application was made”, substitute “dealing with the application”.</p> <p>In subsections (2) and (3), for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”.</p> <p>For subsection (4), substitute—</p> <p>“(4) On granting or varying a PSV operator’s licence, or at any time after the grant or variation of such a licence, a traffic commissioner may require the holder of the licence to inform a traffic commissioner forthwith, or within a specified period, of any specified material change in any of the holder’s circumstances which were relevant to the grant or variation of the licence.</p> <p>(4A) In subsection (4) “specified” means specified by the traffic commissioner imposing the requirement to inform.”</p>
section 20(21) (duty to give traffic commissioners information about vehicles),	<p>In subsection (3)—</p> <p>(a) for “The traffic commissioner by whom a PSV operator’s licence was granted”, substitute “A traffic commissioner”; and</p> <p>(b) in paragraphs (a) and (b)—</p> <p>(i) for “the licence to supply him” substitute “a PSV operator’s licence to supply him or another traffic commissioner”; and</p>

(19) Section 18(2B) and (2C) were inserted by the Deregulation and Contracting Out Act 1994 (c.40), section 63(2). There are other amendments to section 18 which are not relevant to this Order. The Public Passenger Vehicles Act 1981 has effect, in relation to a vehicle being used for the purposes of UK cabotage transport operations, as if section 18 was omitted, by virtue of the Public Service Vehicles (Community Licences) Regulations 2011, S.I. 2011/2634, regulation 18. There is another modification to section 18 which is not relevant to this Order.

(20) Section 19 was amended by the Transport Act 1985 (c.67), section 3 and Schedule 2, Part 2, paragraph 4(10); the Insolvency Act 1985 (c.65), section 235 and Schedule 8, paragraph 34; and S.I. 2003/2096, article 4 and the Schedule, Part 1, paragraph 4. There are other amendments which are not relevant to this Order. Subsections (1) to (3) are also modified in their application to persons in partnership by S.I. 1986/1628, regulation 5(1) and the Schedule, Part 1 (see the relevant entry in Schedule 2 to this Order).

(21) Section 20(3) was amended by the Transport Act 1985, section 3 and Schedule 2, Part 2. There are other amendments to section 20 which are not relevant to this Order.



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<i>Provision</i>	<i>Amendment</i>
	(ii) for “the area of that commissioner” substitute “the traffic area to which the licence relates”.
section 21(22) (certificates of qualification),	<p>In subsection (1), for the words from “may apply” to “as to his repute”, substitute “may apply to a traffic commissioner for a certificate as to the applicant’s repute”.</p> <p>In subsection (2), for the words from “the traffic commissioner” to “of his duties”, substitute “the traffic commissioner dealing with the application such information as he or another traffic commissioner may reasonably require for the discharge of duties of a traffic commissioner”.</p> <p>In subsection (3), for the words from “The traffic commissioner” to “shall certify”, substitute “The traffic commissioner dealing with an application under subsection (1) above shall certify”.</p>
section 49A(23) (review of decisions),	<p>In subsection (1), after “any decision of his”, insert “, or of another traffic commissioner”.</p> <p>In subsection (2)(a)—</p> <p>(a) for “taking the decision”, substitute “the taking of the decision”;</p> <p>(b) for “he has given notice”, substitute “he or another traffic commissioner has given”; and</p> <p>(c) for “that he intends”, substitute “notice of intention”.</p> <p>In subsection (2)(b), for “him to review it”, substitute “that the decision be reviewed by a traffic commissioner”.</p>
section 50(24) (appeals to the Upper Tribunal),	<p>In subsections (1), (4), (4A) and (8), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (6), for “The traffic commissioner”, substitute “A traffic commissioner”.</p> <p>In subsection (7), after “he”, insert “or another traffic commissioner”.</p>
section 52(25) (fees for grant of licences etc.),	<p>In subsection (1)(a)—</p> <p>(a) for “the traffic commissioner for each traffic area”, substitute “a traffic commissioner”; and</p> <p>(b) in the sub-paragraph (ii) which has effect, or is to have effect, by virtue of paragraph 22 of Schedule 5 to the Transport Act 1982(26), for “the commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (2E), for the words from “The traffic commissioner” to “granted”, substitute “A traffic commissioner”.</p>

(22) Section 21 was amended by the Transport Act 1985 (c.67), section 3 and Schedule 2, Part 2.

(23) Section 49A was inserted by the Deregulation and Contracting Out Act 1994 (c.40), section 65(1).

(24) Section 50 was amended by the Transport Act 1985 (c.67), section 31; and the Deregulation and Contracting Out Act 1994 (c.40), sections 65(2), 68 and 81 and Schedule 14, paragraph 7(1) and (2) and Schedule 17. It was also amended by S.I. 2009/1885, article 4(1) and Schedule 1, paragraphs 1 and 2(a) and (b).

(25) Section 52 was amended by the Transport Act 1985, sections 1, 3 and 139(3) and Schedule 1, paragraph 7, Schedule 2, Part 2, paragraph 4(14) and Schedule 8; the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c.22), section 16 and Schedule 6; the Deregulation and Contracting Out Act 1994, section 66; and by S.I. 1984/31.

(26) 1982 c.49.



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<i>Provision</i>	<i>Amendment</i>
	In subsection (2F), for “the traffic commissioner”, substitute “a traffic commissioner”.
section 54(27) (inquiries held by traffic commissioners),	In subsection (2), for “he may hold a single inquiry”, substitute “a single inquiry may be held”.
section 55(28) (annual report of traffic commissioners),	For “The traffic commissioner for each traffic area” substitute “Each traffic commissioner”.
section 56(29) (records of licences),	In subsection (1), for “The traffic commissioner for each traffic area”, substitute “Each traffic commissioner”.
section 56A(30) (correction of errors),	For section 56A substitute— <b>“Correction of errors</b> <b>56A.—(1)</b> This section applies in any case where it appears to a traffic commissioner that there is a clerical error in a document purporting to record, or which is issued in consequence of, a decision taken by any traffic commissioner in the exercise of his functions. <b>(2)</b> In any such case, the traffic commissioner may issue a corrected document or a notice in writing that the document is to have effect with such corrections as are stated in the notice.”
section 57(31) (death, bankruptcy etc. of licence holder),	In subsection (4)— (a) for the words from “The traffic commissioner” to “was granted”, substitute “A traffic commissioner”; and (b) in paragraph (a), for “the licence”, substitute “a PSV operator’s licence”.
section 82(32) (general interpretation provisions),	In subsection (1), for the definition of “traffic commissioner”, substitute— ““traffic commissioner” means a commissioner appointed under section 4;”.
Schedule 2A(33) (detention of certain PSVs used without PSV operators’ licences),	In paragraph 9— (a) in sub-paragraph (1), for the words from “the traffic commissioner” to “detained”, substitute “a traffic commissioner”; and (b) in sub-paragraph (2)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.
	In paragraph 10—

- (27) Section 54 was substituted by the Transport Act 1985, section 4. There are amendments which are not relevant to this Order.
- (28) Section 55 was amended by the Transport Act 1985 (c.67), section 3 and Schedule 2, Part 2, paragraph 4(15); and by S.I. 1984/31.
- (29) Section 56 was amended by the Transport Act 1985, sections 3 and 139(2) and (3) and Schedule 2, Part 2, paragraph 4(16), Schedule 7, paragraph 21(8) and Schedule 8; and by S.I. 1984/31.
- (30) Section 56A was inserted by the Deregulation and Contracting Out Act 1994 (c.40), section 65(3).
- (31) Section 57 was amended by the Transport Act 1985, sections 1, 3 and 139(3), and Schedule 1, paragraph 9, Schedule 2, Part 2, paragraph 4(17) and Schedule 8; by the Mental Capacity Act 2005 (c.9), section 67(1) and Schedule 6, paragraph 26 and by S.I. 2011/2632, regulation 7(1) and Schedule 1, paragraph 9.
- (32) The definition of “traffic commissioner” was inserted by the Transport Act 1985, section 3(5) and Schedule 2, Part 2, paragraph 4(1) and (20). There are other amendments to section 82 which are not relevant to this Order.
- (33) Schedule 2A was inserted by the Local Transport Act 2008 (c.26), section 47(2) and Schedule 3 and amended by S.I. 2009/1885, article 4(1) and Schedule 1.

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<i>Provision</i>	<i>Amendment</i>
	<p>(a) in sub-paragraphs (1)(a) and (b), for “the traffic commissioner”, substitute “a traffic commissioner”; and</p> <p>(b) in sub-paragraph (2), for the words from “the traffic commissioner” to “notice of the application”, substitute “the application must be determined by a traffic commissioner within a prescribed time after notice of the application is received”.</p> <p>In paragraph 11—</p> <p>(a) in sub-paragraph (a), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and</p> <p>(b) in sub-paragraph (b), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph 13, for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
Schedule 3(34) (supplementary provisions as to qualifications for PSV operator’s licence).	<p>In paragraph 7A, in sub-paragraph (2)(a), for “to hold an inquiry” substitute “an inquiry should be held”.</p> <p>In paragraph 7C—</p> <p>(a) in sub-paragraph (1), for the words from “The traffic commissioner” to “cancel the order”, substitute “A traffic commissioner may, subject to sub-paragraph (2), at any time cancel a disqualification order made under paragraph 7B(2)”;</p> <p>(b) in sub-paragraph (3)—</p> <p>(i) after “the traffic commissioner” in the first place where those words occur, insert “who made the order or another traffic commissioner”; and</p> <p>(ii) for paragraph (b) substitute—</p> <p style="padding-left: 40px;">“(b) at the instigation of the traffic commissioner.”;</p> <p>(c) in sub-paragraph (4)—</p> <p>(i) for the words from “making a variation” to “serve a notice”, substitute “a variation is made under sub-paragraph (3)(b), a notice must be served”; and</p> <p>(ii) in paragraph (a), for “the traffic commissioner’s intention” substitute “an intention”; and</p> <p>(d) in sub-paragraph (5), after “the traffic commissioner”, insert “dealing with the matter”.</p>

### **The Transport Act 1982(35)**

<i>Provision</i>	<i>Amendment</i>
Schedule 5(36) (minor and consequential amendments).	Paragraph 22. See the entry for section 52(1)(a)(ii) of the Public Passenger Vehicles Act 1981(37).

(34) Paragraphs 7A, 7B and 7C were inserted by [S.I. 2011/2632](#), regulation 7(1) and Schedule 1, paragraph 11. There are other amendments to Schedule 3 which are not relevant to this Order.

(35) [1982 c.49](#).

(36) There are amendments to Schedule 5 but none are relevant to paragraph 22.

(37) [1981 c.14](#).

### The Transport Act 1985(38)

<i>Provision</i>	<i>Amendment</i>
section 12(39) (use of taxis or hire cars in providing local services),	In subsection (1)(a), for “the appropriate”, substitute “a”. In subsection (11) omit the words “by traffic commissioners”. In subsection (12), for “granted by the traffic commissioner for”, substitute “in relation to”.
section 19(40) (permits in relation to use of public service vehicles by educational and other bodies),	In subsection (4) omit the words “in his area”. In subsection (5) omit the words “within his area”.
section 20(41) (further provision with respect to permits under section 19),	For subsection (5) substitute— “(5) Subject to subsection (6) below— (a) a permit issued by a traffic commissioner may be varied or revoked by a traffic commissioner; (b) a permit issued by a body designated under section 19(7) may be varied or revoked— (i) by that body, or (ii) by a traffic commissioner after consultation with that body.”
section 22(42) (community bus permits),	In subsection (2), for the words from “the traffic commissioner” to “will be”, substitute “a traffic commissioner”.
section 23(43) (further provision with respect to community bus permits),	In subsection (3) omit the words “granted by him”. In subsection (4), for the words from “The traffic commissioner” to “while the permit”, substitute “A traffic commissioner may at any time while a community bus permit”. In subsection (6)— (a) for the words from “The traffic commissioner” to “revoke the permit”, substitute “A traffic commissioner may at any time revoke a community bus permit”; (b) in paragraph (a), for “no longer satisfied”, substitute “not satisfied”; and (c) in paragraph (c) omit the words “which has its operating centre in his area”.

(38)

1985 c.67.

(39) Section 12 was amended by the Local Transport Act 2008 (c.26), section 53. Subsection (12) is also modified by the Operation of Public Service Vehicles (Partnership) Regulations 1986 (S.I. 1986/1628), regulation 5(1) and the Schedule, Part 2 (see the relevant entry in Schedule 2 to this Order). There are other amendments to section 12 which are not relevant to this Order.

(40) Section 19 was amended by the Local Transport Act 2008, section 57.

(41) Section 20 was amended by the Local Transport Act 2008, section 58.

(42) To which there are amendments which are not relevant to this Order.

(43) To which there are amendments which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
section 26(44) (conditions attached to PSV operator's licence),	<p>In subsection (1), for “to whom he has granted or is proposing to grant”, substitute “who has been granted or to whom it is proposed to grant”.</p> <p>In subsection (3), for the words from “the traffic commissioner” to the end of the subsection, substitute “a traffic commissioner may cancel the registration”.</p> <p>Omit subsection (4).</p> <p>In subsection (5), for “the commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (6)(a), for the words from “for which” to “acts”, substitute “to which the licence relates”.</p>
section 27 (supplementary provisions with respect to conditions attached to PSV operator's licence under section 26),	<p>In subsection (1), for the words from “if he has” to “request for an inquiry”, substitute “if a request for an inquiry has been received by a traffic commissioner (within the prescribed period)”.</p> <p>In subsection (3)—</p> <p>(a) for “he”, substitute “he or another traffic commissioner”; and</p> <p>(b) for the words from “if the holder” to “asked him to do so”, substitute “if a request for a traffic commissioner to do so is made to a traffic commissioner, before the end of such period as may be prescribed, by the holder of the licence”.</p>
section 28(45) (power to disqualify PSV operators),	<p>In subsection (1), for “the traffic commissioner for any traffic area”, substitute “a traffic commissioner”.</p> <p>In subsection (3), for “the area of one or more specified traffic commissioners”, substitute “one or more specified traffic areas”.</p> <p>In subsection (4), for “the traffic commissioner by whom it was granted”, substitute “a traffic commissioner”.</p> <p>In subsection (6A), for the words from “The traffic commissioner” to “subsection (1) above”, substitute “Where an order disqualifying a person has been made under subsection (1) above, a traffic commissioner”.</p>
Schedule 4(46) (constitution, powers and proceedings of the transport tribunal).	<p>In paragraph 13(2), for “the determination of a traffic commissioner for a traffic area in Scotland”, substitute “a determination of any traffic commissioner in relation to a traffic area in Scotland.”</p> <p>In paragraph 17(47) (powers of First-tier Tribunal and Upper Tribunal in relation to transport appeals), in sub-paragraph (2), for paragraph (b) substitute—</p> <p>“(b) to remit the matter to—</p>

(44) Section 26 was amended, in relation to England and Wales, by the Local Transport Act 2008 (c.26), sections 44(2) and 62. Subsection (1) was also amended, in relation to England and Wales, by the Transport Act 2000 (c.38), section 161 and Schedule 11, paragraphs 9 and 10; and further amended by S.I. 2001/2748, article 3.

(45) Section 28 was amended by the Deregulation and Contracting Out Act 1994 (c.40), section 67.

(46) To which there are amendments which are not relevant to this Order.

(47) Paragraph 17 was inserted by S.I. 2009/1885, article 4(1) and Schedule 1, paragraphs 5 and 9(d).

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<i>Provision</i>	<i>Amendment</i>
	(i) the traffic commissioner who made the decision against which the appeal is brought; or
	(ii) as the case may be, such other traffic commissioner as may be required by the senior traffic commissioner to deal with the appeal, for rehearing and determination by the commissioner in any case where the tribunal considers it appropriate;”.

### The Road Traffic Act 1988(48)

<i>Provision</i>	<i>Amendment</i>
section 73(49) (provisions supplementary to sections 69 to 72),	In subsection (1), for paragraph (a), substitute— “(a) a traffic commissioner, and”. In subsection (1ZA) omit paragraph (a). In subsection (1A), for paragraph (a), substitute— “(a) a traffic commissioner, and”. In subsection (1C), in paragraph (b), for “were brought”, substitute “were required to be brought”.
section 111(50) (functions of traffic commissioners),	In subsection (1), for the words from “The traffic commissioner” to “1981”, substitute “A traffic commissioner”.
section 113(51) (grant of licences: referral of matters of conduct to traffic commissioners),	In subsection (1), for the words from “the traffic commissioner” to “resides”, substitute “a traffic commissioner”. In subsection (2), for “the traffic commissioner”, substitute “a traffic commissioner”. In subsection (3), for “to whom a reference has been made”, substitute “dealing with a reference”. In subsection (4), for “the commissioner may”, substitute “the commissioner dealing with the application may”. In subsection (5), for “The traffic commissioner to whom a reference has been made”, substitute “A traffic commissioner dealing with a reference”.
section 116(52) (revocation or suspension of licences: referral of matters of conduct to traffic commissioners),	In subsection (1), for the words from “the traffic commissioner” to “resides”, substitute “a traffic commissioner”. In subsections (2) and (2A), for “the traffic commissioner”, substitute “a traffic commissioner”.

(48)

**1988 c.52.**

(49) Section 73 was amended by the Road Traffic Act 1991 (c.40), section 48 and Schedule 4, paragraph 56(2); and the Goods Vehicles (Licensing of Operators) Act 1995 (c.23), section 60(1) and Schedule 7, paragraph 12. There are other amendments which are not relevant to this Order.

(50) Section 111 was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c.22), sections 1, 2 and 16 and Schedules 2 and 6; and subsection (1) was amended by S.I. 1996/1974, regulation 2 and Schedule 1, paragraph 21.

(51) Section 113 was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989, sections 1, 2 and 16 and Schedules 2 and 6.

(52) Section 116 was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c.22), sections 1, 2 and 16 and Schedules 2 and 6; and amended by S.I. 1996/1974, regulation 2 and Schedule 1, paragraph 25(2), (3), (4) and (5).

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<i>Provision</i>	<i>Amendment</i>
	In subsection (3), for “to whom a reference has been made”, substitute “dealing with a reference”.
	In subsection (4), for “the commissioner may”, substitute “the commissioner dealing with the reference may”.
	In subsection (5), for “the traffic commissioner to whom a reference has been made”, substitute “a traffic commissioner dealing with a reference”.
	In subsection (6), for the words from “the traffic commissioner” to “resides”, substitute “a traffic commissioner”.
section 118(53) (revoked or suspended licences: surrender, return and endorsement),	In subsection (2) (if its substitution by virtue of paragraph 20(3) of Schedule 3 to the Road Safety Act 2006(54) does not come into force on or before the date on which this Order comes into force) — <ul style="list-style-type: none"> <li>(a) in paragraph (a), for the words from “the traffic commissioner” to “resides”, substitute “a traffic commissioner”; and</li> <li>(b) in paragraph (b)— <ul style="list-style-type: none"> <li>(i) for “the traffic commissioner” substitute “a traffic commissioner”;</li> <li>(ii) for “delivered to him” substitute “delivered to a traffic commissioner”; and</li> <li>(iii) for “the commissioner” substitute “a traffic commissioner”.</li> </ul> </li> </ul> <p>In subsection (2B) (as it has effect, or is to have effect, by virtue of paragraph 20(3) of Schedule 3 to the Road Safety Act 2006), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (5) (if its omission by virtue of paragraph 20(5) of the Road Safety Act 2006 does not come into force on or before the date on which this Order comes into force), for “the traffic commissioner”, substitute “he or another traffic commissioner”.</p>
section 119(55) (appeals to magistrates’ court or sheriff),	In subsection (1), for “and any traffic commissioner to whom the matter was referred”, substitute “and, if the matter was referred to a traffic commissioner, to the traffic commissioner dealing with the matter”.
	In subsection (2), for “the commissioner shall”, substitute “the commissioner dealing with the matter shall”.
section 122(56) (provisions as to Northern Ireland licences),	In subsection (2) omit the words from “subject to the modification” to the end of the subsection.

(53) Section 118 was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989, section 2(1) and Schedule 2. Subsection (2) is prospectively amended by the Road Safety Act 2006 (c.49), section 10(12) and Schedule 3, paragraphs 2 and 20(1), (3) and (5). There are other amendments to section 118 which are not relevant to this Order.

(54) 2006 c.49.

(55) Section 119 was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989 (c.22), section 2(1) and Schedule 2. It was amended by the Courts Act 2003 (c.39), section 109(1) and (3), Schedule 8, paragraph 308 and Schedule 10; and by S.I. 1996/1974, regulation 2 and Schedule 1, paragraph 27.

(56) Section 122 was inserted by the Road Traffic (Driver Licensing and Information Systems) Act 1989, section 2(1) and Schedule 2. There are other amendments and prospective amendments to section 122 which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
section 164(57) (power of constables to require production of driving licence and in certain cases statement of date of birth).	In subsection (3)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.

### The Tribunals and Inquiries Act 1992(58)

<i>Provision</i>	<i>Amendment</i>
Schedule 1, Part 1(59) (tribunals under direct supervision of council).	In the second column (tribunal and statutory authority), in paragraph 40, for sub-paragraph (a) substitute— “(a) A traffic commissioner;”.

### The Deregulation and Contracting Out Act 1994(60)

<i>Provision</i>	<i>Amendment</i>
section 74(61) (powers of certain office-holders).	In subsection (4), for paragraph (e), substitute— “(e) a traffic commissioner;”.

### The Goods Vehicles (Licensing of Operators) Act 1995(62)

<i>Provision</i>	<i>Amendment</i>
section 1(63) (functions of traffic commissioners),	In subsection (1), for the words from “The traffic commissioner” to “Vehicles Act 1981”, substitute “A traffic commissioner”.
section 5(64) (vehicles authorised to be used under operator’s licence),	In subsection (4)(a), for “the area of the traffic commissioner by whom”, substitute “a traffic area in respect of which”.  In subsection (6) (if its substitution by virtue of section 263 of the Transport Act 2000(65) does not come into force on or before the date on which this Order comes into force), in the words following paragraph (b)— (a) for “the traffic commissioner by whom the licence was issued” substitute “a traffic commissioner”; (b) for “the commissioner may require” substitute “is required by a traffic commissioner”; and

(57) Section 164(3)(b) was amended by the Road Traffic (Driver Licensing and Information Systems) Act 1989, section 7 and Schedule 3, paragraph 18. There are other amendments which are not relevant to this Order.

(58) 1992 c.53.

(59) There are amendments to Part 1 which are not relevant to this order.

(60) 1994 c.40.

(61) Section 74 was amended by S.I. 2009/1941, article 2(1) and Schedule 1, paragraph 148(1) and (2).

(62) 1995 c.23. Sections 5, 7 to 34, 40, 44 and 49 are modified in relation to foreign goods vehicles by the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996, S.I. 1996/2186, Schedule 6.

(63) Section 1(2) was amended by the Local Transport Act 2008, section 3(2)(b).

(64) Section 5(6) was amended by the Local Transport Act 2008 (c.26), section 125(1)(a) and is prospectively amended by the Transport Act 2000 (c.38), section 263, which has itself been amended by the Local Transport Act 2008, section 125(2) to (4). There is another amendment and a modification to section 5 which are not relevant to this Order.

(65) 2000 c.38.



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<i>Provision</i>	<i>Amendment</i>
	<p>(c) for “has paid to him the prescribed fee (if any)” substitute “has paid the prescribed fee (if any) to a traffic commissioner”.</p> <p>In the subsection (6) which has effect, or is to have effect, by virtue of section 263 of the Transport Act 2000—</p> <p>(a) in paragraph (a)—</p> <p>(i) for “the traffic commissioner by whom the licence was issued” substitute “a traffic commissioner”; and</p> <p>(ii) for “the commissioner may require” substitute “is required by a traffic commissioner”; and</p> <p>(b) for paragraph (b) substitute—</p> <p>“(b) has paid the prescribed fee (if any) to a traffic commissioner.”</p> <p>In subsection (7), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (9), for the words from “the traffic commissioner” to “in that licence”, substitute “a traffic commissioner that a vehicle specified in an operator’s licence (“the first licence”)”.</p>
section 7 (operating centres to be specified in operators’ licences),	<p>For subsection (1), substitute—</p> <p>“(1) A person may not use a place in a traffic area as an operating centre for vehicles authorised to be used under an operator’s licence issued to him in respect of that traffic area unless that place is specified as an operating centre of his in that licence.”</p>
section 8(66) (applications for operators’ licences),	<p>For subsection (1), substitute—</p> <p>“(1) An application for an operator’s licence—</p> <p>(a) shall be made to a traffic commissioner, and</p> <p>(b) shall be in respect of a single traffic area in which, if the licence is issued, the applicant will have an operating centre or operating centres,</p> <p>but a person may make separate applications in respect of different traffic areas.”</p> <p>In subsection (3)(b), for “in the area of the commissioner”, substitute “in the traffic area concerned”.</p> <p>In subsection (6), for “a traffic commissioner”, substitute “the traffic commissioner”.</p> <p>After subsection (6), add—</p> <p>“(7) In subsections (3) to (6), “the traffic commissioner” means the traffic commissioner dealing with the application in question.”</p>
section 9(67) (convictions etc. subsequent to the making of an application),	<p>In subsection (1), for “to whom it was made”, substitute “dealing with the application”.</p>

(66) Section 8(1) is modified by way of substitution in relation to foreign goods vehicles by the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996, S.I. 1996/2186, Schedule 6, Part 1, paragraph (c).

(67) Section 9 was amended by the Road Safety Act 2006 (c.49), section 6.

<i>Provision</i>	<i>Amendment</i>
	In subsection (2), for “to whom the application was made”, substitute “dealing with the application”.
	In subsection (4)(a) and (b), for “the traffic commissioner”, substitute “a traffic commissioner”.
section 10(68) (publication by traffic commissioner of notice of application for licence),	In subsection (1), for “made to him”, substitute “which is received”.
section 11(69) (publication in locality affected of notice of application for licence),	In subsection (1), for the words from “the traffic commissioner” to “is made”, substitute “a traffic commissioner who is dealing with an application for an operator’s licence”.  In subsection (3), for “The traffic commissioner”, substitute “A traffic commissioner”.  In subsection (4), for “in the area of the traffic commissioner”, substitute “in the traffic area concerned”.
section 12(70) (objections to, and representations against, issue of operators’ licences),	In subsections (1)(b) and (4), for “in the traffic commissioner’s area”, substitute “in the traffic area concerned”.  In subsection (8), for “the traffic commissioner”, substitute “a traffic commissioner”.  In subsection (12), omit the words from “and, in relation to” to “has been made”, which follow the definition of “trade union”.
section 13A(71) (requirements for standard licences),	In subsection (3)(c)(i), for “the traffic commissioner” substitute “a traffic commissioner”.
section 13C (requirements for standard and restricted licences),	In subsection (5), for “the traffic commissioner’s area” substitute “the traffic area concerned”.
section 14(72) (determinations where objections etc. are made on environmental grounds),	In subsection (2), for “in his area”, substitute “in the traffic area concerned”.  In subsection (3)— (a) for “The traffic commissioner”, substitute “A traffic commissioner”; (b) in paragraph (a), omit the words “issued by the commissioner”; and (c) in paragraph (b), for “the commissioner”, substitute “a traffic commissioner”.  In subsection (6)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.

(68) Section 10(1) is modified by the Goods Vehicles (Licensing of Operators) Regulations 1995, S.I. 1995/2869, regulation 30(3) and (5) and Schedule 2, paragraph 2(h). (See the entry in Schedule 2 to this Order).

(69) To which there is a further modification which is not relevant to this Order.

(70) To which there are amendments which are not relevant to this Order.

(71) Section 13 was substituted and sections 13A, 13B, 13C and 13D inserted by S.I. 2011/2632, regulation 8(1) and Schedule 2, paragraph 5.

(72) To which there is an amendment which is not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
section 16(73) (duration of operators' licences),	In subsection (3), for the words from "requests" to "shall," substitute "requests a traffic commissioner to terminate it at any time, he or another traffic commissioner must,".  In subsection (4), for the words from "The traffic commissioner" to "he", substitute "A traffic commissioner may refuse to comply with such a request if he or another traffic commissioner".
section 17(74) (variation of operators' licences),	In subsection (1), for "the traffic commissioner by whom the licence was issued", substitute "a traffic commissioner".  In subsection (1)(g), for "traffic commissioner's", substitute "same traffic".  In subsection (2), for the words from "the traffic commissioner" to "information as he", substitute "the traffic commissioner dealing with the application, in such form as he or another traffic commissioner may require, such information as he or another traffic commissioner".  In subsection (3), for "the traffic commissioner", substitute "a traffic commissioner".
section 18(75) (publication of notice of applications for variation in any locality affected),	In subsection (1), for the words from "the traffic commissioner" to "refuse the application", substitute "a traffic commissioner who is dealing with an application for an operator's licence shall refuse the application for any of the directions mentioned in subsection (2)".  In subsection (2)(d), for "in the traffic commissioner's area", substitute "in the traffic area concerned".  In subsection (4), for "The traffic commissioner", substitute "A traffic commissioner".  In subsection (5)(a), for "in the area of the traffic commissioner", substitute "in the traffic area concerned".  In subsection (5)(b), for "in the area of the commissioner", substitute "in the traffic area concerned".
section 19(76) (objection to, and refusal of, applications to vary operators' licences on environmental grounds),	In subsections (2), (4) and (6), for "in the traffic commissioner's area", substitute "in the traffic area concerned".  In subsections 2(c) and (6), for "the commissioner", substitute "a traffic commissioner".  In subsection (7)— (a) for "The traffic commissioner may not refuse the application", substitute "A traffic commissioner may not refuse an application";

(73) To which there is an amendment which is not relevant to this Order.

(74) Section 17(1) is modified by way of substitution in relation to foreign goods vehicles by S.I. 1996/2186, Schedule 6, Part 1, paragraph (k). (See the entry in Schedule 2 to this Order). Subsection (3) is also modified in relation to holding companies by the Goods Vehicles (Licensing of Operators) Regulations 1995, S.I. 1995/2869, regulation 30(3) and Schedule 2, paragraph 2(j). (See also the entry in Schedule 2 to this Order). There is another modification and an amendment to section 17 which are not relevant to this Order.

(75) To which there is a further modification which is not relevant to this Order.

(76) To which there is an amendment which is not relevant to this Order.

<i>Provision</i>	<i>Amendment</i>
	<p>(b) in paragraph (a), omit the words “issued by the commissioner”; and</p> <p>(c) in paragraph (b), for “the commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (11), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
section 20 (variation of licences: further provisions),	<p>In subsection (1), for the words from “to the traffic commissioner” to “that it be converted”, substitute “for a direction that the licence be varied by converting it”.</p> <p>In subsection (2) omit the words “to the traffic commissioner by whom the licence was issued”.</p> <p>In subsection (2)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
section 21 (conditions for securing road safety),	<p>In subsection (3)—</p> <p>(a) for “The traffic commissioner”, substitute “A traffic commissioner”, and</p> <p>(b) for the words from “without first giving” to “the commissioner”, substitute “unless the applicant for the licence or (as the case may be) the licence-holder has first been given an opportunity to make representations to a traffic commissioner”.</p>
section 22(77) (conditions as to matters required to be notified to traffic commissioner),	<p>In subsection (1), for “to inform him”, substitute “to inform a traffic commissioner”.</p> <p>In subsections (1)(c) and (4), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (2)(a) and (b), for “the commissioner”, substitute “a traffic commissioner”.</p>
section 23(78) (conditions as to use of operating centres),	<p>In subsection (1), for “in his area”, substitute “in the traffic area to which the licence relates”.</p> <p>In subsection (2)(a) omit the words “in the area of the traffic commissioner”.</p> <p>In subsection (4)—</p> <p>(a) for “The traffic commissioner”, substitute “A traffic commissioner”, and</p> <p>(b) for the words from “without first giving” to “the commissioner”, substitute “unless the applicant for the licence or (as the case may be) the licence-holder has first been given an opportunity to make representations to a traffic commissioner”.</p>

(77) Section 22(1) is modified by way of substitution in relation to foreign goods vehicles by the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996, S.I. 1996/2186, Schedule 6, Part 1, paragraph (m). (See the entry in Schedule 2 to this Order). Subsection (2) was amended by S.I. 2011/2632, regulation 8(1) and Schedule 2, paragraph 8. There is another modification and amendments to section 22 which are not relevant to this Order.

(78) See section 16E of the London Olympic Games and Paralympic Games Act 2006 (c.12).

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<i>Provision</i>	<i>Amendment</i>
section 24(79) (interim operators' licences),	In subsection (3), for "The traffic commissioner", substitute "A traffic commissioner".  In subsections (4), (5) and (6), for "the traffic commissioner", substitute "a traffic commissioner".
section 25 (interim variations),	In subsection (1), for the words from "the traffic commissioner" to "the application," substitute "a traffic commissioner may, before the application has been determined,".  In subsections (3), (4) and (5), for "the traffic commissioner", substitute "a traffic commissioner".
section 26(80) (revocation, suspension and curtailment of operators' licences),	In subsection (1), for the words from "the traffic commissioner" to "direct that it", substitute "a traffic commissioner may direct that an operator's licence".  In subsection (1)(a), for "commissioner's area", substitute "traffic area to which the licence relates".  In subsection (2), for "the traffic commissioner", substitute "a traffic commissioner".  In subsection (4), for the words from "the traffic commissioner" to "him", substitute "a traffic commissioner in the case of the holder of any operator's licence".  In subsection (6), for "the traffic commissioner directs", substitute "a traffic commissioner gives a direction under subsection (1)".  In subsection (8), for the words from "The traffic commissioner" to "was given", substitute "Where a direction suspending or curtailing a licence has been given under subsection (1), a traffic commissioner".
section 27(81) (revocation of standard licences),	In subsection (1), for "The traffic commissioner by whom a standard licence was issued shall direct that it", substitute "A traffic commissioner shall direct that a standard licence".  In subsection (2), for "the traffic commissioner", substitute "a traffic commissioner".  In subsection (3)— (a) omit the words "shall also state"; (b) in paragraph (a)— (i) for "that" substitute "shall invite the licence-holder to make", and (ii) omit the words "may be made to the commissioner by the licence-holder"; (c) in paragraph (b)— (i) for "that" substitute "shall state that", and

(79) Section 24 was amended by S.I. 2009/1885, article 4(1) and Schedule 1, paragraphs 18 and 19. Subsection (7A) was inserted and subsection (8) amended by S.I. 2011/2632, regulation 8(1) and Schedule 2, paragraph 9.

(80) Section 26(1) was amended by the Road Safety Act 2006 (c.49), section 6(1), (4) and (5). It is also modified by way of substitution in relation to foreign goods vehicles by S.I. 1996/2186, Schedule 6, Part 1, paragraph (o). (See the entry in Schedule 2 to this Order). There are other modifications to section 26 which are not relevant to this Order.

(81) Section 27(1) and (4) were amended, and subsections (3A) and (3B) inserted, by S.I. 2011/2632, regulation 8(1) and Schedule 2, paragraph 10.

<i>Provision</i>	<i>Amendment</i>
	(ii) after “the commissioner” insert “dealing with the matter”; and
	(d) for the words following paragraph (b) substitute— “and a traffic commissioner may not give a direction under subsection (1) without considering any representations duly made under this subsection”.
section 28(82) (disqualification),	In subsection (4), for “the traffic commissioner”, substitute “a traffic commissioner”.  In subsection (6), for the words from “The traffic commissioner” to “subsection (1)”, substitute “Where an order has been made under subsection (1) disqualifying any person, a traffic commissioner”.
section 29(83) (revocation and disqualification etc: supplementary provisions),	In subsection (1), for “him to do so”, substitute “that an inquiry be held”.  In subsection (2), for “The traffic commissioner”, substitute “A traffic commissioner”.  In subsection (3), for “the traffic commissioner”, substitute “a traffic commissioner”.
section 30(84) (periods of review for operating centres),	In subsection (1)— (a) for “the traffic commissioner by whom an operator’s licence was issued”, substitute “a traffic commissioner”, and (b) for “the licence-holder”, where those words first occur, substitute “the holder of an operator’s licence”.
section 31(85) (power to remove operating centres on review),	In subsection (1), for “having served notice”, substitute “after a notice has been served”.  In subsections (1) and (5), for “the traffic commissioner”, substitute “a traffic commissioner”.  In subsection (3), after “to him”, insert “or another traffic commissioner”.
section 32(86) (power to attach conditions on review),	In subsection (1)— (a) for “having served notice”, substitute “after a notice has been served”; and (b) for the words from “the traffic commissioner” to “section 31, he”, substitute “no direction is given in respect of the place under section 31, a traffic commissioner”.  In subsection (2), for “the traffic commissioner”, substitute “a traffic commissioner”.  In subsection (2)(b), for “the commissioner”, substitute “the traffic commissioner giving the direction”.

(82) Section 28(1) is modified by way of substitution in relation to foreign goods vehicles by the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996, S.I. 1996/2186, Schedule 6, paragraph (q). There is also an amendment and several modifications which are not relevant to this Order.

(83) Section 29 was amended by S.I. 2009/1885, article 4(1) and Schedule 1, paragraphs 18 and 20.

(84) To which there is a further modification which is not relevant to this Order.

(85) To which there is a further modification which is not relevant to this Order.

(86) To which there is a further modification which is not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
	In subsection (3)(b), for “the commissioner”, substitute “the traffic commissioner giving the direction”.
	In subsection (4), for “the traffic commissioner”, substitute “a traffic commissioner”.
section 34 (determinations as to environmental matters),	In subsection (5)(b), for “having served notice”, substitute “after a notice has been served”.
section 35(87) (power of traffic commissioners to hold inquiries),	In subsection (2), for “he”, substitute “he or another traffic commissioner”.
section 36 (review of decisions),	In subsection (1), after “of his”, insert “, or of another traffic commissioner.”.  In subsection (2)— (a) for “The traffic commissioner”, substitute “A traffic commissioner”; (b) for paragraph (a), substitute— “(a) if, within such period after the taking of the decision as may be prescribed, he or another traffic commissioner has given to the applicant or (as the case may be) the licence-holder notice of intention to review the decision;” and (c) in paragraph (b), for “him to review it”, substitute “that the decision be reviewed by a traffic commissioner”.
section 37(88) (rights of appeal in connection with operators’ licences),	In subsection (6)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.
section 42(89) (meaning of “officer” and powers of police constables),	In subsection (1)(b), for “the traffic commissioner for any area”, substitute “a traffic commissioner”.
section 43(90) (evidence by certificate),	In subsection (2), for “the commissioner” in each place where those words occur, substitute “a traffic commissioner”.
section 44(91) (assessors),	In subsection (1), for “the traffic commissioner”, substitute “a traffic commissioner”.
section 45 (fees),	In subsection (5), for “The traffic commissioner”, substitute “A traffic commissioner”.
section 48(92) (operators’ licences not to be transferable etc.),	In subsections (2) and (3) omit the words “issued by him”. In subsection (4)— (a) after “by him”, insert “or another traffic commissioner”; and

(87) Section 35(2) was amended by [S.I. 2011/2632](#), regulation 8(1) and Schedule 2, paragraph 11. There is another amendment which is not relevant to this Order.

(88) Section 37 was amended by [S.I. 2009/1885](#), article 4(1) and Schedule 1, paragraphs 18 and 22.

(89) Section 42 is prospectively amended by the Goods Vehicles (Licensing of Operators) Act 1995 (c.23), section 50 and Schedule 5, paragraph 5(1).

(90) Section 43(2) was amended by [S.I. 2011/2632](#), regulation 8(1) and Schedule 2, paragraph 14.

(91) Section 44(1) was amended by [S.I. 2011/2632](#), regulation 8(1) and Schedule 2, paragraph 15.

(92) Section 48 was amended by the Mental Capacity Act 2005 (c.9), section 67(1) and Schedule 6, paragraph 40(1) and (3). There is also a further modification which is not relevant to this Order.



<i>Provision</i>	<i>Amendment</i>
	(b) for “the commissioner”, substitute “a traffic commissioner”.
section 49(93) (certificates of qualification),	In subsection (5), for paragraphs (a), (b) and (c), substitute— “(a) in relation to an applicant who holds an operator’s licence, means a traffic commissioner, and (b) in relation to an applicant who does not hold an operator’s licence, means the Secretary of State,”.
section 58(94) (general interpretation),	In subsection (1) omit the definition of “area”. Omit subsection (5).
Schedule 1A(95) (detention of vehicles used without operator’s licence),	In paragraph 9— (a) in sub-paragraph (1), for the words from “the traffic commissioner” to “detained”, substitute “a traffic commissioner”; and (b) in sub-paragraph (2)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph 10— (a) in sub-paragraph (1)(a), for “the traffic commissioner”, substitute “a traffic commissioner”; (b) in sub-paragraph (1)(b), for “him”, substitute “a traffic commissioner”; (c) in sub-paragraph (2), for the words from “the traffic commissioner” to “notice of the application”, substitute “the application must be determined by a traffic commissioner within a prescribed time after notice of the application is received”; and (d) in sub-paragraph (3)(a) and (b), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph 12, for “the traffic commissioner”, substitute “a traffic commissioner”.
Schedule 2(96) (information about, and convictions of, applicants for and holders of operators’ licences),	In paragraph 1, in sub-paragraph (a), after “the traffic commissioner”, insert “dealing with the application”.
Schedule 3(97) (qualifications for standard licence),	In paragraph 15— (a) in sub-paragraph (2)(a), for “whether or not to hold an inquiry”, substitute “whether or not an inquiry should be held”; and (b) in sub-paragraph (2A), for “The traffic commissioner” substitute “A traffic commissioner”.

(93) Section 49(5) was amended by [S.I. 2011/2632](#), regulation 8(1) and Schedule 2, paragraph 17. There are other amendments which are not relevant to this Order.

(94) To which there are amendments which are not relevant to this Order.

(95) Schedule 1A was inserted by the Transport Act 2000 (c.38), section 262 and Schedule 30. There are amendments which are not relevant to this Order.

(96) Schedule 2 was amended by the Road Safety Act 2006 (c.49), section 6(1), (6) and (7); and, in relation to England and Wales, by [S.I. 2007/3538](#), regulation 73 and Schedule 21, Part 1, paragraph 24. There is another amendment which is not relevant to this Order.

(97) Paragraph 15 was amended, and paragraph 17 inserted, by [S.I. 2011/2632](#), regulation 8(1) and Schedule 2, paragraph 20. There are other amendments and modifications to Schedule 3 which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
	In paragraph 17—
	(a) in sub-paragraph (1), for the words from “The traffic commissioner” to “cancel the order”, substitute “A traffic commissioner may, subject to sub-paragraph (2), at any time cancel a disqualification order made under paragraph 16(2)”;
	(b) in sub-paragraph (3)—
	(i) after “the traffic commissioner” in the first place where those words occur, insert “who made the order or another traffic commissioner”; and
	(ii) for paragraph (b) substitute— “(b) at the instigation of the traffic commissioner.”;
	(c) in sub-paragraph (4)—
	(i) for the words from “making a variation” to “serve a notice”, substitute “a variation is made under sub-paragraph (3)(b), a notice must be served”; and
	(ii) in paragraph (a), for “the traffic commissioner’s intention” substitute “an intention”; and
	(d) in sub-paragraph (5), after “the traffic commissioner”, insert “dealing with the matter”.
Schedule 4(98) (transfer of operating centres),	After paragraph 4, add— “5. In this Schedule “the traffic commissioner”, in the case of any application, means the traffic commissioner dealing with the application.”
Schedule 5(99) (large goods vehicles).	In paragraph 2, in sub-paragraph (3), omit the words “issued by him”.  In paragraph 3, in sub-paragraph (1), for “at the office of the traffic commissioner”, substitute “to a traffic commissioner at an office”.

**The Freedom of Information Act 2000(100)**

<i>Provision</i>	<i>Amendment</i>
Schedule 1, Part 6(101) (other public bodies and offices: general).	For the entry relating to “The Traffic Commissioners” substitute “A traffic commissioner, in respect of information held by the commissioner otherwise than as a tribunal”.

(98) Schedule 4 was amended by S.I. 2011/2632, regulation 8(1) and Schedule 2, paragraph 21.

(99) To which there is an amendment which is not relevant to this Order.

(100) 2000 c.36.

(101) There are amendments to Part 6 which are not relevant to this Order.

### The Transport Act 2000(102)

<i>Provision</i>	<i>Amendment</i>
section 263 (addition of specified vehicles to operator’s licence).	See the entries for section 5(6) of the Goods Vehicles (Licensing of Operators) Act 1995(103).

### The Road Safety Act 2000(104)

<i>Provision</i>	<i>Amendment</i>
Schedule 3 (endorsement: all drivers).	Paragraph 20(3). See the entry for section 118(2) of the Road Traffic Act 1988(105).

## SCHEDULE 2

Article 3

Amendments extending to England and Wales and Scotland — Subordinate Legislation

### The Public Service Vehicles (Conditions of Fitness, Equipment, Use and Certification) Regulations 1981(106)

<i>Provision</i>	<i>Amendment</i>
regulation 9 (interpretation).	3(107) Omit the definition of “the Commissioners”.

### The Public Service Vehicles (Carrying Capacity) Regulations 1984(108)

<i>Provision</i>	<i>Amendment</i>
regulation 9 (notification of increase of seating or standing capacity).	For “the traffic commissioners who granted that licence” substitute “a traffic commissioner”.

### The Operation of Public Service Vehicles (Partnership) Regulations 1986(109)

<i>Provision</i>	<i>Amendment</i>
<b>the Schedule,</b> Part 1 (the Public Passenger Vehicles Act 1981),	In column 2—

(102) [2000 c.38](#). The subsection (6) that is set out in section 263 and is to be substituted for section 5(6) of the Goods Vehicles (Licensing of Operator’s) Act 1995 ([c.23](#)) was amended by the Local Transport Act 2008 ([c.26](#)), section 125(2) and (3).

(103) [1995 c.23](#).

(104) [2006 c.49](#).

(105) [1988 c.52](#).

(106) [S.I. 1981/257](#).

(107) To which there are amendments which are not relevant to this Order.

(108) [S.I. 1984/1406](#).

(109) [S.I. 1986/1628](#). In the Schedule, the entries relating to sections 14(1) and 17(1) of the Public Passenger Vehicles Act 1981 ([c.14](#)) were amended by [S.I. 1990/1850](#), regulation 2. There are other amendments to the Schedule which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
	<ul style="list-style-type: none"> <li>(a) in the entry relating to section 12(3) of the 1981 Act, for the words from “by the traffic commissioner” to “area”, substitute “in relation to the same traffic area”;</li> <li>(b) in the entry relating to section 14(1) of the 1981 Act— <ul style="list-style-type: none"> <li>(i) for “the traffic commissioner”, in the first place where those words occur, substitute “a traffic commissioner”;</li> <li>(ii) for “unless he is” substitute “unless a traffic commissioner is”; and</li> <li>(iii) for “the traffic commissioner”, in the second place where those words occur, substitute “the traffic commissioner dealing with the application”;</li> </ul> </li> <li>(c) in the entry relating to section 17(1) of the 1981 Act, for “the traffic commissioner”, substitute “a traffic commissioner”;</li> <li>(d) in the entry relating to section 19(1) of the 1981 Act, for “to whom the application was made”, substitute “dealing with the application”;</li> <li>(e) in the entry relating to section 19(2) of the 1981 Act, for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”; and</li> <li>(f) in the entry relating to section 19(3) of the 1981 Act, for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”.</li> </ul>
Part 2 (the Transport Act 1985).	In column 2, in the entry relating to section 12(12) of the 1985 Act, for the words from “by the traffic commissioner” to “area”, substitute “in relation to the same traffic area”.

**The Public Service Vehicles (Traffic Commissioners: Publication and Inquiries) Regulations 1986(110)**

<i>Provision</i>	<i>Amendment</i>
regulation 4(111) (traffic commissioner to make copies of “Notices and Proceedings” available),	In paragraph (1) omit “at his offices”.
regulation 5 (records).	<p>For “Every traffic commissioner” substitute “A traffic commissioner”.</p> <p>In paragraph (1) omit “by him”.</p> <p>In paragraph (3), for “by him”, substitute “by him or another traffic commissioner”.</p> <p>In paragraph (4) omit “with him”.</p>

(110)

**S.I.1986/1629.**

(111) To which there is an amendment which is not relevant to this Order.

### The Section 19 Minibus (Designated Bodies) Order 1987(112)

<i>Provision</i>	<i>Amendment</i>
article 4 (returns).	For the words from “the traffic commissioner” to “carried on” substitute “a traffic commissioner”.  In paragraph (a), for “every such permit”, substitute “every permit granted by it”.

### The Traffic Areas (Reorganisation) Order 1990(113)

<i>Provision</i>	<i>Amendment</i>
article 5 (construction and amendments of enactments and other documents).	In paragraph (2), for “the Traffic Commissioner for that Area” in the second place where those words occur, substitute “a traffic commissioner”.

### The Serbia and Montenegro (United Nations Sanctions) Order 1993(114)

<i>Provision</i>	<i>Amendment</i>
article 5 (impounding of goods vehicles).	In paragraph (1)— (a) for “the traffic commissioner for any traffic area in Great Britain”, substitute “a traffic commissioner”; and (b) for “his traffic area”, substitute “Great Britain”.  In paragraph (4), for “The traffic commissioner”, substitute “A traffic commissioner”.  In paragraph (5)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.

### The Goods Vehicles (Licensing of Operators) Regulations 1995(115)

<i>Provision</i>	<i>Amendment</i>
regulation 4 (manner of making applications),	In paragraph (a), for “the traffic commissioner to whom the application is made”, substitute “a traffic commissioner”.
regulation 5 (time of applications),	For “the traffic commissioner” substitute “a traffic commissioner”.
regulation 6 (dispensations as to applications),	For “The traffic commissioner” substitute “A traffic commissioner”.
regulation 7 (notice of applications),	In paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 8 (restrictions on applications),	In paragraphs (1) and (2), for “The traffic commissioner”, substitute “A traffic commissioner”.

(112) [S.I. 1987/1229.](#)

(113) [S.I. 1991/288.](#)

(114) [S.I. 1993/1188.](#)

(115) [S.I. 1995/2869.](#) Regulations 4, 7 to 9, 11, 13 to 15, 18, 19, 21 to 23, 28, 29 and 31 are modified in relation to foreign goods vehicles by the Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996, [S.I. 1996/2186](#), Schedule 6. There are other modifications which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
regulation 9 (inspection of applications),	<p>In paragraph (1), for the words from “The traffic commissioner” to “available for inspection”, substitute “Until an application has been determined, a traffic commissioner shall make available for inspection”.</p> <p>In paragraph (2)—</p> <p>(a) omit “by whom a licence is issued”; and</p> <p>(b) for “the licence”, substitute “a licence”.</p> <p>In paragraph (3)(a), for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the application relates”.</p> <p>In paragraph (4)(a), for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the licence relates”.</p>
regulation 11 (manner of making objections and representations),	In paragraph (1), for “the traffic commissioner at the office of his traffic area”, substitute “a traffic commissioner”.
regulation 13 (consideration of objections and representations),	In paragraphs (1) and (2), for “The traffic commissioner”, substitute “A traffic commissioner”.
regulation 14 (conditions which may be attached to a licence),	In paragraph (a), for “in the area of the traffic commissioner”, substitute “in the traffic area to which the licence relates”.
regulation 15 (considerations relevant to determinations),	In paragraph (1)(c), for “to whom the application is made”, substitute “dealing with the application”.
regulation 18 (manner of service of notice on review of an operating centre),	For “the traffic commissioner” substitute “a traffic commissioner”.
regulation 19 (manner of making representations in relation to a review),	For “the traffic commissioner at the office of his traffic area” substitute “a traffic commissioner”.
regulation 21 (statement to be issued by the traffic commissioner),	<p>In paragraph (1)—</p> <p>(a) for “The traffic commissioner”, substitute “A traffic commissioner”;</p> <p>(b) in sub-paragraph (a)(ii), for “he proposes to hold inquiries and the applications which he proposes to consider”, substitute “inquiries are proposed to be held and the applications which are proposed for consideration”;</p> <p>(c) in sub-paragraph (a)(iii), omit “the traffic commissioner’s” and “his”;</p> <p>(d) in sub-paragraph (c), for “he proposes”, substitute “it is proposed”; and</p> <p>(e) in sub-paragraph (d), omit “of his”.</p> <p>In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>

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<i>Provision</i>	<i>Amendment</i>
	In paragraph (3)— (a) for the words from “may be inspected” to “as he”, substitute “shall be made available for inspection at such places as the traffic commissioner by whom it was issued”; and (b) for “the traffic commissioner” in the second place where those words occur, substitute “a traffic commissioner”.
regulation 22 (notification of decisions),	In paragraph (1)(c), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 23(116) (identification of motor vehicles),	In paragraph (1), for “The traffic commissioner”, substitute “A traffic commissioner”.  In paragraph (4), for “the traffic commissioner,”, substitute “a traffic commissioner.”
regulation 24 (temporary addition of a motor vehicle),	In paragraphs (a) and (b), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 25 (notification of change of address),	For “the traffic commissioner by whom the licence was granted” substitute “a traffic commissioner”.
regulation 27 (issue of copies of licences and discs),	In paragraph (1), for “the traffic commissioner by whom the licence or disc was issued”, substitute “a traffic commissioner”.  In paragraph (2), for “the traffic commissioner” in each place where those words occur, substitute “a traffic commissioner”.  In paragraph (3), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 28 (return of licences and discs),	In paragraph (1)— (a) for “the traffic commissioner by whom the licence was issued”, substitute “a traffic commissioner”; and (b) for “that traffic commissioner”, substitute “a traffic commissioner”.  In paragraph (2)— (a) for “the traffic commissioner” in the first place where those words occur, substitute “the traffic commissioner directing the variation”; and (b) for “the traffic commissioner” in the second place where those words occur, substitute “a traffic commissioner”.  In paragraph (3)— (a) for the words from “the office of” to “was issued”, substitute “a traffic commissioner”; and (b) in sub-paragraph (b), for “the traffic commissioner”, substitute “the traffic commissioner giving the direction”.  In paragraph (5), for “the traffic commissioner” in both places where those words occur, substitute “a traffic commissioner”.

(116) To which there are amendments which are not relevant to this Order.



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<i>Provision</i>	<i>Amendment</i>
regulation (partnerships),	29(117) In paragraph (10), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 30 (holding companies and subsidiaries),	<p>In paragraph (1)—</p> <p>(a) for “the traffic commissioner for any traffic area”, substitute “a traffic commissioner”; and</p> <p>(b) in sub-paragraph (a)—</p> <p>(i) for “of that area,” substitute “of a particular traffic area,”; and</p> <p>(ii) after “of a licence”, insert “in respect of that area”.</p> <p>In paragraph (4)(a), for “the traffic commissioner who issued or varied its licence”, substitute “a traffic commissioner”.</p> <p>In paragraph (5), in the wording in quotation marks—</p> <p>(a) for “The traffic commissioner” substitute “A traffic commissioner”; and</p> <p>(b) for “to him” substitute “which is received”.</p> <p>In paragraph (6)—</p> <p>(a) in sub-paragraph (a), for “the traffic commissioner by whom the licence was issued”, substitute “a traffic commissioner”; and</p> <p>(b) for “the traffic commissioner” in the second and third places where those words occur, substitute “a traffic commissioner”.</p>
regulation (continuance of licence on death, bankruptcy etc.),	31(118) In paragraph (3), for “the traffic commissioner”, substitute “a traffic commissioner”.
	<p>In paragraph (4), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”.</p> <p>In paragraph (6)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
regulation 35 (manner of service of notice of review on ground of procedural irregularity),	For “the traffic commissioner” substitute “a traffic commissioner”.
Schedule 1 (notice of application for a licence or a variation of a licence),	<p>In paragraph 2, in the wording in quotation marks—</p> <p>(a) for “[address of Traffic Area Office]”, substitute “[<i>specify the address</i>]”; and</p> <p>(b) for “the Traffic Commissioner’s office” substitute “[<i>specify the address</i>]”.</p>
Schedule 2 (modifications in relation to holding companies and subsidiaries),	<p>In paragraph 2(h), in the wording in quotation marks—</p> <p>(a) for “The traffic commissioner” substitute “A traffic commissioner”; and</p> <p>(b) for “to him” substitute “which is received”.</p>

(117) To which there is an amendment which is not relevant to this Order.

(118) To which there are amendments which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
	In paragraph 2(j), for “the traffic commissioner” in both places where those words occur, substitute “a traffic commissioner”.
Schedule 4(119) (inquiries).	<p>In paragraph 1—</p> <p>(a) in sub-paragraphs (1) and (2), for “The traffic commissioner”, substitute “A traffic commissioner”; and</p> <p>(b) in sub-paragraphs (4) and (5), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph 5(7), for the words from “he was required” to “paragraph 1 of this Schedule”, substitute “notice of the inquiry was required to be given to such a person under paragraph 1 of this Schedule”.</p> <p>In paragraph 6(5), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph 8, for the words from ““inquiry” means” to “Act 1995”, substitute—</p> <p>“—</p> <p>“inquiry” means an inquiry held for the purposes of the Goods Vehicles (Licensing of Operators) Act 1995(120); and</p> <p>“the traffic commissioner” means the traffic commissioner holding an inquiry”.</p>

### The Public Service Vehicles (Operators’ Licences) Regulations 1995(121)

<i>Provision</i>	<i>Amendment</i>
regulation 4 (inspection of applications),	<p>In paragraph (1), for the words from “The traffic commissioner” to “a licence”, substitute “Where an application for a licence is received, a traffic commissioner”.</p> <p>In paragraph (2)—</p> <p>(a) for “The traffic commissioner” substitute “A traffic commissioner”; and</p> <p>(b) in sub-paragraph (a), for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the application relates”.</p>
regulation 5 (objections to applications for licences),	<p>In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (3)—</p> <p>(a) for “the traffic commissioner” where those words first occur, substitute “a traffic commissioner”; and</p> <p>(b) for “at the office of his traffic area”, substitute “at an office provided for the use of a traffic commissioner in relation to the traffic area to which the application relates”.</p>

(119) To which there is an amendment which is not relevant to this Order.

(120) 1995 c.23.

(121)

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

<i>Provision</i>	<i>Amendment</i>
regulation 8 (requirements of notice and consideration of representations),	<p>For regulation 8 substitute—</p> <p><b>“Requirements of notice and consideration of representations</b></p> <p><b>8.—</b>(1) Paragraph (2) applies where—</p> <p style="padding-left: 40px;">(a) a condition or additional condition is attached to a licence under section 16(3) other than on the grant of the licence, or</p> <p style="padding-left: 40px;">(b) any condition attached to a licence under section 16(3), except a condition treated as so attached by virtue of section 27(4) of the 1985 Act, is altered under section 16(5)(a) other than at the holder’s request.</p> <p>(2) Before any such attachment or alteration is made—</p> <p style="padding-left: 40px;">(a) a traffic commissioner shall give the holder notice of the proposal to do so, and</p> <p style="padding-left: 40px;">(b) the traffic commissioner dealing with the matter shall consider any written representations from the holder about that proposal which are received within 14 days of such notice.”</p>
regulation 9 (requirements of notice and consideration of representations),	<p>For paragraph (1) substitute—</p> <p>“(1) Before—</p> <p style="padding-left: 40px;">(a) any powers under section 17(1) or (2) are exercised in relation to a licence,</p> <p style="padding-left: 40px;">(b) any condition is attached to a licence under section 26 of the 1985 Act, except—</p> <p style="padding-left: 80px;">(i) on the grant of the licence, or</p> <p style="padding-left: 80px;">(ii) if section 27(2) of that Act applies,</p> <p style="padding-left: 40px;">(c) any condition attached to a licence under section 26 of the 1985 Act is varied, or</p> <p style="padding-left: 40px;">(d) an order is made under section 28(1) of the 1985 Act in respect of a licence,</p> <p>a traffic commissioner shall give notice to the holder or former holder.”</p> <p>In paragraph (2)—</p> <p>(a) for sub-paragraph (a), substitute—</p> <p style="padding-left: 40px;">“(a) that one or more of such actions is under consideration;”;</p> <p>(b) in sub-paragraph (e)(i), for “he proposes”, substitute “it is proposed”; and</p> <p>(c) in sub-paragraph (e)(ii)—</p> <p style="padding-left: 40px;">(i) for “he does not propose” substitute “it is not proposed”, and</p> <p style="padding-left: 40px;">(ii) for “him to do so” substitute “that an inquiry be held”.</p> <p>In paragraph (3)—</p>

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<i>Provision</i>	<i>Amendment</i>
	<ul style="list-style-type: none"> <li>(a) for “The traffic commissioner” substitute “A traffic commissioner”;</li> <li>(b) for “he receives” substitute “are received”;</li> <li>(c) for “he gives” substitute “is given”; and</li> <li>(d) for “he was considering” substitute “was under consideration”.</li> </ul> <p>In paragraph (4), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>
regulation 13 (issue of a duplicate licence or disc and prohibition on unauthorised alteration of a disc),	<p>In paragraph (1), for the words from “the traffic commissioner” to “marked as such”, substitute “a traffic commissioner so that a duplicate, marked as such, may be provided”.</p> <p>In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (3)—</p> <ul style="list-style-type: none"> <li>(a) for “the traffic commissioner” where those words first occur, substitute “a traffic commissioner”; and</li> <li>(b) for the words from “so that the” to “marked as such”, substitute “to a traffic commissioner so that a duplicate, marked as such, may be provided”.</li> </ul>
regulation 14 (compulsory return of licences and discs),	<p>In paragraph (1), for “the traffic commissioner by whom it was granted”, substitute “a traffic commissioner”.</p> <p>In paragraph (2), for “the commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (3)—</p> <ul style="list-style-type: none"> <li>(a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and</li> <li>(b) for the words from “the traffic commissioner”, in the second place where those words occur, to “to the holder”, substitute “a traffic commissioner for the appropriate addition, alteration, variation or removal to be made prior to the return of the licence to the holder”.</li> </ul> <p>In paragraph (4), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In paragraph (5), for “the traffic commissioner who issued it”, substitute “a traffic commissioner”.</p> <p>In paragraph (6)—</p> <ul style="list-style-type: none"> <li>(a) in sub-paragraph (a), for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the licence or disc relates”;</li> <li>(b) in sub-paragraph (b), for “the office of his traffic area”, substitute “such an office”; and</li> <li>(c) for “the traffic commissioner” in the second place where those words occur, substitute “a traffic commissioner”.</li> </ul> <p>In paragraph (7) omit “in the traffic area”.</p>

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<i>Provision</i>	<i>Amendment</i>
regulation 15 (voluntary return of discs),	In paragraph (1)— (a) for “the traffic commissioner by whom the licence was issued”, substitute “a traffic commissioner”; (b) for “the office of his traffic area”, substitute “an office provided for the use of a traffic commissioner in relation to the traffic area to which the licence relates”; and (c) for “that address”, substitute “such an office”.  In paragraph (2) omit “in the traffic area”.
regulation 16 (production of licences and discs for examination),	In paragraph (1)— (a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and (b) for “the traffic commissioner for any traffic area”, substitute “a traffic commissioner”.  In paragraph (2)— (a) omit the words from “within the traffic area” to “granted”; and (b) insert at the end “within the traffic area to which the licence relates”.
regulation 17 (notification of decisions),	For “The traffic commissioner” substitute “A traffic commissioner”.  Omit “to him”.  Omit “the traffic commissioner”.
regulation 19 (notices generally),	In paragraph (5), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 20 (notification of change of address).	For the words from “the traffic commissioner” to “granted”, substitute “a traffic commissioner”.

### **The Goods Vehicles (Licensing of Operators) (Fees) Regulations 1995(122)**

<i>Provision</i>	<i>Amendment</i>
regulation 3(123) (fees).	In paragraph (8), for “the traffic commissioner”, substitute “a traffic commissioner”.

### **The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) Regulations 1996(124)**

<i>Provision</i>	<i>Amendment</i>
Schedule 6, Part 1 (modifications to the Goods Vehicles (Licensing of Operators) Act 1995(125))	In paragraph (k), in the words in quotation marks, for “the traffic commissioner by whom the licence was issued” substitute “a traffic commissioner”.  In paragraph (m), in the words in quotation marks—

(122)

[S.I. 1995/3000.](#)

(123) Paragraph (8) was amended by [S.I. 2009/804](#), regulation 4(1) and (3)(c). There are other amendments to regulation 3 which are not relevant to this Order.

(124)

[S.I. 1996/2186.](#)

(125) [1995 c.23.](#)

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

<i>Provision</i>	<i>Amendment</i>
in relation to foreign goods vehicles).	<p>(a) for “to inform him” substitute “to inform a traffic commissioner”; and</p> <p>(b) for “the traffic commissioner” substitute “a traffic commissioner”.</p> <p>In paragraph (o), in the words in quotation marks, for the words from “the traffic commissioner” to “direct that it”, substitute “a traffic commissioner may direct that an operator’s licence”.</p>

### The Traffic Areas (Reorganisation) (Wales) Order 1999(126)

<i>Provision</i>	<i>Amendment</i>
article 4 (construction and amendment of enactments and other documents).	In paragraphs (1) and (2), for “the traffic commissioner for the Welsh Traffic Area”, substitute “a traffic commissioner”.

### The Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999(127)

<i>Provision</i>	<i>Amendment</i>		
the Schedule (specified bodies).	<p>(a) Omit the entry relating to the “Traffic Commissioner for the Scottish Traffic Area”; and</p> <p>(b) Insert in the appropriate place in alphabetical order—</p> <table border="1" style="margin-left: 40px;"> <tr> <td>“Scottish Traffic Commissioner</td> <td>Traffic Section 4(1) of the Public Passenger Vehicles Act 1981 (c.14)”.</td> </tr> </table>	“Scottish Traffic Commissioner	Traffic Section 4(1) of the Public Passenger Vehicles Act 1981 (c.14)”.
“Scottish Traffic Commissioner	Traffic Section 4(1) of the Public Passenger Vehicles Act 1981 (c.14)”.		

### The Motor Vehicles (Driving Licences) Regulations 1999(129)

<i>Provision</i>	<i>Amendment</i>
regulation 3 (interpretation)(130),	For the definition of “traffic commissioner” substitute— ““traffic commissioner” means a commissioner appointed under section 4 of the Public Passenger Vehicles Act 1981(131);”.
regulation 56 (holders of licences who are disqualified by order of a court),	In paragraph (5), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 57 (removal of disqualification),	In paragraph (1), for the words from “the traffic commissioner” to “referred to him”, substitute “a traffic commissioner in a case which was referred under regulation 56(5)”.
regulation 81 (service personnel),	For the words from “The traffic commissioner” to “Traffic Areas” substitute “A traffic commissioner”.

(126)

[S.I. 1999/1204.](#)

(127)

[S.I. 1999/1319.](#)

(128) There are amendments to the Schedule which are not relevant to this Order.

(129)

[S.I. 1999/2864.](#)

(130) There are amendments to regulation 3 which are not relevant to this Order.

(131) 1981 c.14.

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

<i>Provision</i>	<i>Amendment</i>
regulation 82 (Northern Ireland licences).	Omit paragraph (1). In paragraph (2), for sub-paragraph (b), substitute— “(b) if a particular court is not nominated under sub-paragraph (a), the Carlisle Combined Court Centre.

**The Transport Tribunal Rules 2000(132)**

<i>Provision</i>	<i>Amendment</i>
rule 5 (method of applying),	In paragraph (2), for “the traffic commissioner”, substitute— “__ (a) the traffic commissioner who made the decision in respect of which the application is made; or (b) as the case may be, such other traffic commissioner as may be required by the senior traffic commissioner to deal with the application”.
rule 6 (contents of notice),	In paragraph (b), after “the traffic commissioner”, insert “who made the decision in respect of which the application is made or such other traffic commissioner as may be dealing with the application”.
rule 8 (traffic commissioner’s statement of reasons),	In paragraph (1)— (a) before “receipt”, insert “the”; (b) after “the traffic commissioner”, insert “who made the decision, or such other traffic commissioner as may be dealing with the application,”; and (c) for “his reasons for refusing or withdrawing”, substitute “the reasons for the refusal or withdrawal of”.  In paragraph (2), for “he has previously done so”, substitute “this has previously been done”.
rule 10 (decision of the Tribunal),	In paragraph (3), for “the traffic commissioner”, substitute— “__ (a) the traffic commissioner who made the decision in respect of which the application is made; or (b) such other traffic commissioner as may be dealing with the application”.
rule 12 (method of appealing),	In paragraph (2)(b), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought or, as the case may be, such other traffic commissioner as may be required by the senior traffic commissioner to deal with the appeal”.
rule 13(133) (action on receipt of appeal),	In paragraph (1)(a), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought or such other traffic commissioner as may be dealing with the appeal”.

(132) **S.I. 2000/3226.**  
(133) Rule 13(1) was substituted by S.I. 2001/4041, rule 4(1). There are other amendments to rule 13 which are not relevant to this Order.



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<i>Provision</i>	<i>Amendment</i>
rule 14(134) (parties to an appeal),	In paragraph (1), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought”.
rule 15 (supply of information documents),	In paragraph (1)— (a) before “receipt”, insert “the”; and (b) after “the traffic commissioner” where those words first occur, insert “who made the decision against which the appeal is brought or, as the case may be, such other traffic commissioner as may be dealing with the appeal.”  In paragraph (1)(a) and (b), after “the traffic commissioner”, insert “who made the decision”.  In paragraph (1)(c), for “the traffic commissioner’s note of the inquiry”, substitute “the note of the inquiry prepared by the traffic commissioner who held it”.  In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph (3), after “The traffic commissioner”, insert “who made the decision against which the appeal is brought, or such other traffic commissioner as may be dealing with the appeal.”
rule 23 (amendment),	In paragraph (2)(b), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought, or such other traffic commissioner as may be dealing with the appeal.”.
rule 25 (disclosure of documents),	In paragraph (1), after “The traffic commissioner”, insert “who made the decision against which the appeal is brought, such other traffic commissioner as may be dealing with the appeal”.
rule 28(135) (withdrawal of proceedings),	In paragraph (2), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought or such other traffic commissioner as may be dealing with the appeal”.
rule 29 (arrangements for hearings),	In paragraph (3)(b), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought, or such other traffic commissioner as may be dealing with the appeal.”.
rule 32 (limitation to grounds relied upon and evidence given),	In paragraph (1), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought”.  In paragraph (2), after “the traffic commissioner”, insert “who made the decision”.
rule 35(136) (decision of the Tribunal).	In paragraph (3), after “the traffic commissioner”, insert “who made the decision against which the appeal is brought, or such other traffic commissioner as may be dealing with the appeal.”.

(134) To which there are amendments which are not relevant to this Order.

(135) Rule 28(2) was amended by S.I. 2002/643, rule 10 and by S.I. 2008/2142, rules 2 and 8.

(136) Rule 35(3) was amended by S.I. 2002/643, rule 11(b) and by S.I. 2008/2142, rules 2 and 9(2). There are other amendments to rule 35 which are not relevant to this Order.

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### The Goods Vehicles (Enforcement Powers) Regulations 2001(137)

<i>Provision</i>	<i>Amendment</i>
regulation (notification of detention of a vehicle and its contents),	9(138) In paragraph (1)— (a) in sub-paragraph (a)(ia), for “the traffic commissioner”, substitute “a traffic commissioner”; and (b) for sub-paragraph (b)(ii) substitute— “ <i>(ii) a traffic commissioner;</i> ”.
regulation (applications to a traffic commissioner),	10(139) In paragraph (1), for the words from “the traffic commissioner” to “was detained”, substitute “a traffic commissioner”. In paragraph (2)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation (hearings),	11(140) In paragraph (1)— (a) in sub-paragraph (a), for “the traffic commissioner”, substitute “a traffic commissioner”; (b) for sub-paragraph (b), substitute— “ <i>(b) following the receipt of an application under regulation 10(1) a traffic commissioner decides that it would be appropriate for a hearing to be held before a determination on the application is made;</i> ”; (c) for the words “the traffic commissioner shall” immediately following sub-paragraph (b), substitute “a traffic commissioner shall”; (d) for “of receipt”, substitute “of the receipt”; and (e) omit “of the traffic commissioner”. After paragraph (6) add— “ <i>(7) In this regulation “the traffic commissioner” means the traffic commissioner dealing with the application.</i> ”
regulation (notification of determinations),	12(141) For “The traffic commissioner” substitute “A traffic commissioner”. of In paragraph (a), for “after receiving”, substitute “after the receipt of”.
regulation (appeals from a determination of a traffic commissioner to the Upper Tribunal),	13(142) In paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation (return of a vehicle detained),	14(143) For “the traffic commissioner”, in the first place where those words occur, substitute “a traffic commissioner”.

(137)

**S.I. 2001/3981.**

(138) Regulation 9 was amended by S.I. 2009/1965, regulations 2 and 7.

(139) Regulation 10 was amended by S.I. 2009/1965, regulations 2 and 8.

(140) Regulation 11 was amended by S.I. 2009/1965, regulations 2 and 9 and by S.I. 2008/2683, article 6(1) and Schedule 1, paragraph 177.

(141) Regulation 12 was amended by S.I. 2009/1965, regulations 2 and 10.

(142) Regulation 13 was amended by S.I. 2009/1885, article 4(2) and Schedule 2, paragraphs 7 and 8.

(143) Regulation 14 was amended by S.I. 2009/1885, article 4(2) and Schedule 2, paragraphs 7 and 9; and by S.I. 2009/1965, regulations 2 and 11.

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<i>Provision</i>	<i>Amendment</i>
regulation 15(144) (disposal of vehicles).	In paragraph (1)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph (2), for sub-paragraph (b), substitute— “(b) a traffic commissioner;”.

### **The Freedom of Information (Excluded Welsh Authorities) Order 2002(145)**

<i>Provision</i>	<i>Amendment</i>
The Schedule (excluded authorities), Part 2,	For the entry relating to the Traffic Commissioner for the Welsh Traffic Area substitute—  “Any traffic commissioner who carries out functions only or mainly in or as regards Wales, in respect of information held by that traffic commissioner otherwise than as a tribunal.”

### **The Administrative Justice and Tribunals Council (Listed Tribunals) Order 2007(146)**

<i>Provision</i>	<i>Amendment</i>
article 2(147) (list of tribunals).	In the Table, in the first column, for “Traffic Commissioners for areas in England and Wales”, substitute “Traffic commissioners for England and Wales and the Scottish traffic commissioner in respect of the exercise in relation to any traffic area in England and Wales of any functions of a traffic commissioner that relate to reserved matters within the meaning of the Scotland Act 1998(148)”.

### **The Section 19 Permit Regulations 2009(149)**

<i>Provision</i>	<i>Amendment</i>
regulation 2 (interpretation),	In regulation 2(1), for the definition of “issuing body”, substitute— ““issuing body” means— (a) a traffic commissioner; or (b) as the case may be, the designated body which granted a permit and issued a corresponding disc;”.
regulation 10 (replacement of certain permits and discs which are lost or destroyed),	In paragraph (1) omit “which granted the permit or issued the disc”. In paragraph (5) omit “which granted or issued it”.
regulation 11(revocation of permits granted before 6 <sup>th</sup> April 2009 which are lost or destroyed),	In paragraph (1) omit “which granted the permit or issued the disc”. In paragraph (7) omit “which granted or issued it”.

(144) Regulation 15 was amended by [S.I. 2009/1885](#), article 4(2) and Schedule 2, paragraphs 7 and 10; and by [S.I. 2009/1965](#), regulations 2 and 12.

(145) [S.I. 2002/2832](#); to which there are amendments which are not relevant to this Order.

(146) [S.I. 2007/2951](#).

(147) To which there are amendments which are not relevant to this Order.

(148) 1998 c.46.

(149) [S.I. 2009/365](#).

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

<i>Provision</i>	<i>Amendment</i>
regulation 12 (return of permits and discs),	For paragraphs (a) and (b), substitute— “(a) a traffic commissioner; or (b) if the designated body which revoked the permit has not ceased to be a designated body, that designated body.”
regulation 13 (transitional provisions).	In paragraph (3), for “the traffic commissioner for”, substitute “a traffic commissioner in relation to”.

**The Community Bus Regulations 2009(150)**

<i>Provision</i>	<i>Amendment</i>
regulation 6 (attaching conditions to permits : large buses),	In paragraph (1)— (a) omit “who granted a permit”; and (b) for “to it”, substitute “to a permit”.
regulation 7 (return of permits for conditions to be attached),	In paragraph (1), for the words from “A holder” to “so that”, substitute “The holder of a permit must, on receipt of a written notice from a traffic commissioner, produce the permit to a traffic commissioner so that”.  In paragraph (2)(e), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph (3), for “the traffic commissioner” in both places where those words occur, substitute “a traffic commissioner”.  In paragraph (4), for “the traffic commissioner” in each place where those words occur, substitute “a traffic commissioner”.  In paragraphs (5) and (7), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 11 (replacement of certain permits and discs which are lost or destroyed),	In paragraph (1), for “the traffic commissioner who granted the permit or issued the disc”, substitute “a traffic commissioner”. In paragraph (2)(b), for “the traffic commissioner to issue a replacement permit”, substitute “a replacement permit to be issued”.  In paragraph (3)— (a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and (b) for “if requested to do so”, substitute “if a request has been made”.  In paragraph (5), for “the traffic commissioner who granted or issued it”, substitute “a traffic commissioner”.
regulation 12 (revocation of permits granted before 6th April 2009 which are lost or destroyed),	In paragraph (1), for “the traffic commissioner who granted the permit or issued the disc”, substitute “a traffic commissioner”.  In paragraph (2)(b), for “the traffic commissioner to grant a new permit”, substitute “a new permit to be granted”.

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<i>Provision</i>	<i>Amendment</i>
	<p>In paragraph (3)—</p> <p>(a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and</p> <p>(b) for “if requested to do so”, substitute “if a request has been made”.</p> <p>In paragraph (4)—</p> <p>(a) for “to the traffic commissioner”, substitute “under paragraph (2)(a)”; and</p> <p>(b) in sub-paragraph (a), after “the traffic commissioner”, insert “dealing with the matter”; and</p> <p>(c) in sub-paragraph (b), for “the traffic commissioner”, substitute “that traffic commissioner”.</p> <p>In paragraph (5)—</p> <p>(a) for “to the traffic commissioner”, substitute “under paragraph (2)(a)”; and</p> <p>(b) for “by the traffic commissioner”, substitute “by a traffic commissioner”.</p> <p>In paragraph (7), for “the traffic commissioner who granted or issued it”, substitute “a traffic commissioner”.</p>
regulation 13 (surrender of permits and discs).	For “the traffic commissioner who granted and issued them” substitute “a traffic commissioner”.

### The Department for Transport (Fees) Order 2009(151)

<i>Provision</i>	<i>Amendment</i>
Schedule 1 (specified functions).	<p>In Part 2 (Public Passenger Vehicles Act 1981(152)), in paragraphs 7, 8, 9, 10, 11, 14, 15, 16, 18, 19 and 20, omit the word “the” before “traffic commissioners”.</p> <p>In Part 5 (Goods Vehicles (Licensing of Operators) Act 1995(153)), in paragraphs 44, 45, 46 and 47, omit the word “the” before “traffic commissioners”.</p>

### The Public Service Vehicles (Enforcement Powers) Regulations 2009(154)

<i>Provision</i>	<i>Amendment</i>
regulation 9 (informing persons that their property has been detained etc.),	<p>In paragraph (3), for sub-paragraph (b), substitute—</p> <p>“(b) a traffic commissioner;”.</p> <p>In paragraph (4)—</p> <p>(a) in sub-paragraph (c)(i), for the words from “the traffic commissioner” to “was detained”, substitute “a traffic commissioner”; and</p>

(151)  
(152) 1981 c.14.  
(153) 1995 c.23.  
(154)

S.I. 2009/711. Paragraph 45 was amended by S.I. 2011/1043, article 4(1).

S.I. 2009/1964.

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

<i>Provision</i>	<i>Amendment</i>
	(b) in sub-paragraph (d), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 11 (application to traffic commissioner for return of vehicle),	In paragraph (1), for the words from “the traffic commissioner” to “was detained”, substitute “a traffic commissioner”. In paragraph (3), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 12 (hearings by traffic commissioner),	In paragraph (1)— (a) in sub-paragraph (a), for “the traffic commissioner”, substitute “a traffic commissioner”; (b) for sub-paragraph (b), substitute— “(b) following the receipt of an application under regulation 11(1) a traffic commissioner decides that it would be appropriate for a hearing to be held before a determination on the application is made,”; (c) for the words “the traffic commissioner must” immediately following sub-paragraph (b), substitute “a traffic commissioner must”; (d) for “of receipt”, substitute “of the receipt”; and (e) omit “of the traffic commissioner”. After paragraph (6) add— “(7) In this regulation “the traffic commissioner” means the traffic commissioner dealing with the application.”
regulation 13 (notification of determinations),	In paragraph (1), for “The traffic commissioner”, substitute “A traffic commissioner”.
regulation 14 (consequences of the traffic commissioner’s determination),	In paragraph (a), for “the traffic commissioner”, substitute “a traffic commissioner”. In paragraph (b), for “commissioner determines”, substitute “commissioner dealing with the application determines”.
regulation 15 (appeal to Upper Tribunal from traffic commissioner),	For “the traffic commissioner” substitute “a traffic commissioner”.
regulation 16 (sale or destruction of vehicle).	In paragraph (1), for “the traffic commissioner” in both places where those words occur, substitute “a traffic commissioner”. In paragraph (4), for sub-paragraph (b), substitute— “(b) a traffic commissioner;”.

## SCHEDULE 3

Article 4

## Amendments extending to England and Wales — Primary Legislation

**The Road Traffic Regulation Act 1984(155)**

<i>Provision</i>	<i>Amendment</i>
section 38(156) (parking place to be used as bus or coach station),	In subsection (4), for “the appropriate traffic commissioner”, substitute “a traffic commissioner”.  In subsection (7) omit paragraph (a).
Schedule 9, Part 5(157) (consultation with traffic commissioners).	In paragraph 31, for sub-paragraph (a), substitute— “(a) shall consult the senior traffic commissioner appointed under section 4A of the Public Passenger Vehicles Act 1981(158), and”.

**The Transport Act 1985(159)**

<i>Provision</i>	<i>Amendment</i>
section 6(160) (registration of local services),	In subsection (2)(a), for “the traffic commissioner for that area”, substitute “a traffic commissioner”.  In subsection (8)(a) and (b), for “the traffic commissioner”, substitute “a traffic commissioner”.  In subsection (9)— (a) in paragraph (c)(i), for “the traffic commissioner” substitute “a traffic commissioner”; (b) in paragraph (c)(ii), for “he” substitute “a traffic commissioner”; (c) in paragraph (e)— (i) for “the traffic commissioner to whom it is made” substitute “a traffic commissioner”, (ii) for “the commissioner” substitute “a traffic commissioner”, and (iii) for “as he may reasonably” substitute “as a traffic commissioner may reasonably”; (d) omit paragraph (f); and (e) in paragraph (j), for “the traffic commissioner” substitute “a traffic commissioner”.

(155) [1984 c.27.](#)

(156) Section 38 was amended by the Transport Act 1985 (c.67), section 3 and Schedule 2, Part 2, paragraph 6. There are other amendments to section 38 which are not relevant to this Order.

(157) Paragraph 31(a) was amended by the Transport Act 1985, section 3(5) and Schedule 2, Part 2, paragraph 6. There are other amendments to paragraph 31 which are not relevant to this Order.

(158) [1981 c.14](#); section 4A was inserted by the Local Transport Act 2008 (c.26), section 3(1).(159) [1985 c.67.](#)(160) Subsection (8) was amended, in relation to England and Wales, by the Local Transport Act 2008, section 49(1) and (4). Subsection (9) was amended, in relation to England and Wales, by the Local Transport Act 2008, section 65(2) and (3). There are other amendments to section 6 which are not relevant to this Order. Section 6(2) and (8) are modified in certain cases by the Public Service Vehicles (Registration of Local Services) Regulations 1986, [S.I. 1986/1671](#), regulation 7(1) (see the relevant entry in Schedule 4 to this Order).

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<i>Provision</i>	<i>Amendment</i>
section 6A(161) (applications for registration etc. where restrictions are in force),	<p>In subsection (1)—</p> <p>(a) in paragraph (b), omit the words “to a traffic commissioner”; and</p> <p>(b) in paragraph (c), for “the traffic commissioner” substitute “a traffic commissioner”.</p> <p>In subsection (12)—</p> <p>(a) in paragraph (b) of the definition of “relevant application”, for “the traffic commissioner” substitute “a traffic commissioner”; and</p> <p>(b) insert the following definition at the appropriate place— ““the traffic commissioner” means the traffic commissioner dealing with the application mentioned in subsection (1).”</p>
section 6B(162) (applications for registration where quality contracts scheme in force),	<p>In subsection (8), insert the following definition at the appropriate place— ““the traffic commissioner” means the traffic commissioner dealing with the application.”</p>
section 7(163) (application of traffic regulation conditions to local services subject to registration under section 6),	<p>In subsection (1)—</p> <p>(a) for “him”, substitute “a traffic commissioner”; and</p> <p>(b) for “the traffic commissioner for any traffic area”, substitute “he or any other traffic commissioner”.</p> <p>In subsection (3), for the words from “the traffic area” to “them”, substitute “a traffic area”.</p> <p>In subsection (8)—</p> <p>(a) for “the traffic commissioner for any traffic area”, substitute “a traffic commissioner”; and</p> <p>(b) for “his traffic area”, substitute “a traffic area”.</p> <p>In subsection (9), for the words from “he has received” to “for an inquiry”, substitute “a request for an inquiry has been received by a traffic commissioner (within the prescribed period)”.</p> <p>In subsection (11)—</p> <p>(a) for “he”, substitute “he or another traffic commissioner”; and</p> <p>(b) for the words from “if any person” to “asked him to do so”, substitute “if a request for a traffic commissioner to do so is made to a traffic commissioner, before the end of the prescribed period, by any person mentioned in subsection (9) (a) or (c) above or any other traffic authority affected by the conditions”.</p> <p>In subsection (12), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (14)—</p>

(161) Section 6A was inserted, in relation to England and Wales, by the Local Transport Act 2008 (c.26), section 48(1) and (3). There are amendments to section 6A which are not relevant to this Order.

(162) Section 6B was inserted, in relation to England and Wales, by the Local Transport Act 2008, section 49(5).

(163) Section 7(1) was amended by the Local Transport Act 2008, section 50(1) and (2). There are other amendments to section 7 which are not relevant to this Order.



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<i>Provision</i>	<i>Amendment</i>
	<p>(a) for “determined by him”, substitute “(whether determined by him or another traffic commissioner)”; and</p> <p>(b) for “on being requested to do so”, substitute “if a request for a traffic commissioner to do so is made to a traffic commissioner”.</p>
section 8 (enforcement of traffic regulation conditions, etc.),	<p>In subsection (1), for the words from “the traffic commissioner” to “granted”, substitute “a traffic commissioner”.</p> <p>Omit subsection (3).</p> <p>In subsection (4), for the words from “it shall be” to “concerned to”, substitute “a traffic commissioner must”.</p>
section 9 (appeals against traffic regulation conditions)( <b>164</b> ),	<p>In subsection (6), for paragraph (d), substitute—</p> <p>“(d) a traffic commissioner.”</p>
section 26( <b>165</b> ) (conditions attached to PSV operator’s licence),	<p>In subsection (1A)—</p> <p>(a) for “The traffic commissioner”, substitute “A traffic commissioner”; and</p> <p>(b) omit the words “, or direct a traffic commissioner for another traffic area to attach,”.</p> <p>In subsection (2) omit the words “(or direct another commissioner to attach)”.</p> <p>Omit subsection (2A).</p> <p>In subsection (5A)—</p> <p>(a) for “The traffic commissioner”, substitute “A traffic commissioner”; and</p> <p>(b) omit “, or direct a traffic commissioner for another traffic area to attach,”.</p> <p>Omit subsection (5C).</p>
section 27A( <b>166</b> ) (additional powers where service not operated as registered),	<p>In subsection (2), for “him”, substitute “him or another traffic commissioner”.</p> <p>After subsection (7) insert—</p> <p>“(7A) In this section “the traffic commissioner” means the traffic commissioner dealing with the matter.”</p>
section 81( <b>167</b> ) (provision, maintenance and operation of bus stations).	<p>In subsection (6), for the words from “the traffic commissioner”, in the first place where those words occur, to “the Secretary of State”, substitute “a traffic commissioner”.</p> <p>In subsection (7), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>

**(164)** Subsection (6) was amended in relation to England and Wales by the Local Transport Act 2008 (c.26), section 51(1) and (5) (a) and (b) and by S.I. 2009/1885, article 4(1) and Schedule 1, paragraphs 5 and 7(c). There are other amendments to section 9 which are not relevant to this Order.

**(165)** Subsections (1A), (2A), (5A) and (5C) were inserted by the Local Transport Act 2008, section 62. There are other amendments to section 26 which are not relevant to this Order.

**(166)** Section 27A was inserted, in relation to England and Wales, by the Local Transport Act 2008, section 63(1). There is an amendment to subsection (7) which is not relevant to this Order.

**(167)** Section 81(6) was amended by the Local Government (Wales) Act 1994 (c.19), section 22(1) and Schedule 7, paragraph 39(7). There are other amendments to section 81 which are not relevant to this Order.

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### The Greater London Authority Act 1999(168)

<i>Provision</i>	<i>Amendment</i>
section 191 (consultation),	In subsection (2), for paragraphs (d) and (e), substitute— “(d) a traffic commissioner;”.
section 194 (application of the Public Passenger Vehicles Act 1981(169)),	In subsection (2)(a), for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”.
section 195 (interpretation of Chapter 5).	Omit the definition of “traffic commissioner for the Metropolitan Traffic area”.

### The Transport Act 2000(170)

<i>Provision</i>	<i>Amendment</i>
section 114(171) (quality partnership schemes),	In subsection (3C), for “the traffic commissioners are”, substitute “a traffic commissioner is”.
section 115(172) (notice and consultation requirements),	In subsection (3), for paragraph (d), substitute— “(d) a traffic commissioner;”.
section 116(173) (making of scheme),	In subsection (6)— (a) omit the word “and” immediately preceding paragraph (b); and (b) in paragraph (b), for the words from “and the traffic commissioner” to “relates”, substitute— “, and (c) to a traffic commissioner”.
section 117(174) (postponement of scheme or of provision of particular facilities or standards of service),	In subsection (3)— (a) omit the word “and” immediately preceding paragraph (b); and (b) in paragraph (b), for the words from “and the traffic commissioner” to “relates”, substitute— “, and (c) to a traffic commissioner”.
section 118(175) (effect of scheme),	In subsection (4)(a), for the words from “the traffic commissioner” to “relates”, substitute “a traffic commissioner”.

(168)

1999 c.29.

(169) 1981 c.14.

(170)

2000 c.38.

(171) Subsection (3C) was inserted by the Local Transport Act 2008 (c.26), section 13(1) and (4). There are other amendments to section 114 which are not relevant to this Order.

(172) Section 115 was amended by the Local Transport Act 2008, section 14.

(173) To which there are amendments which are not relevant to this Order.

(174) To which there are amendments which are not relevant to this Order.

(175) Section 118 was amended by the Local Transport Act 2008 (c.26), section 17.

- section 122(176) (regulations about schemes), In subsection (1)(d), for “the traffic commissioner”, substitute “a traffic commissioner”.
- section 125(177) (notice and consultation requirements), In subsection (3)(e), for the words from “the traffic commissioner” to “relates”, substitute “a traffic commissioner”.  
In subsection (3)(f), for “that area”, substitute “the area to which the proposed scheme relates”.
- section 127(178) (making of scheme), In subsection (8)(b), for the words from “the traffic commissioner” to “that area”, substitute “a traffic commissioner”.
- section 128(179) (postponement of scheme), In subsection (3)—  
(a) omit the word “and” immediately preceding paragraph (b); and  
(b) in paragraph (b), for the words from “and the traffic commissioner” to “relates”, substitute—  
“, and  
(c) to a traffic commissioner”.
- section 130(180) (tendering for quality contracts), In subsection (7), for the words from “the traffic commissioner” to “relates”, substitute “a traffic commissioner”.
- section 131A(181) (continuation of schemes for further periods), In subsection (4)(b), for “traffic commissioners for areas to which scheme relates”, substitute “a traffic commissioner”.
- section 132(182) (variation or revocation of scheme), In subsection (6)—  
(a) in paragraphs (a) and (b), for “each relevant traffic commissioner”, substitute “a traffic commissioner”; and  
(b) omit the second sentence.  
In subsection (8)(c), for the words from “any traffic commissioner” to “Wales,”), substitute “a traffic commissioner”.
- section 132D(183) (period for which interim service may be provided), In subsection (5)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.  
In subsection (6), for “The traffic commissioner”, substitute “A traffic commissioner”.  
For subsection (7), substitute—  
“(7) Any application to a traffic commissioner under paragraph (b) of subsection (5) must be made at least one month before the date mentioned in paragraph (a) of that subsection.”
- section 136 (notice and consultation requirements), In subsection (3), for paragraph (c), substitute—

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(176) To which there are amendments which are not relevant to this Order.

(177) Section 125(3)(e) was amended by the Local Transport Act 2008, section 20(1) and (5). There are other amendments to section 125 which are not relevant to this Order.

(178) To which there are amendments which are not relevant to this Order.

(179) To which there are amendments which are not relevant to this Order.

(180) To which there are amendments which are not relevant to this Order.

(181) Section 131A was inserted by the Local Transport Act 2008, section 31.

(182) Section 132 was amended by the Local Transport Act 2008, section 37. There are other amendments which are not relevant to this Order.

(183) Section 132D was inserted by the Local Transport Act 2008 (c.26), section 40(1).

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	“(c) a traffic commissioner.”
section 137(184) (making of scheme),	In subsection (4), for paragraph (b), substitute— “(b) to a traffic commissioner.”.
section 139(185) (information about bus services),	In subsection (2), for paragraph (b), substitute— “(b) a traffic commissioner.”
section 140 (duty of authority to make information available),	In subsection (4), for “the traffic commissioner for the traffic area covering their area”, substitute “a traffic commissioner”.
section 155(186) (sanctions).	In subsection (1), for “the traffic commissioner for any traffic area”, substitute “a traffic commissioner”.

SCHEDULE 4

Article 4

Amendments extending to England and Wales — Subordinate Legislation

**The Public Service Vehicles (Lost Property) Regulations 1978(187)**

<i>Provision</i>	<i>Amendment</i>
Regulation 7(188) (safe custody and recording of property).	In paragraph (3), for “the traffic commissioners for the area in which the record is kept”, substitute “a traffic commissioner”.

**The Public Service Vehicles (Registration of Local Services) Regulations 1986(189)**

<i>Provision</i>	<i>Amendment</i>
Regulation 3(190) (applications for registration),	For paragraphs (1) and (2), substitute— for “(1) An application for registration of particulars of a service shall be made to a traffic commissioner.”  In paragraph (3), for “the traffic commissioner to whom it is made”, substitute “a traffic commissioner”.  In paragraph (4), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph (5)— (a) for “The traffic commissioner”, substitute “A traffic commissioner”; and (b) omit “by him”.

(184) To which there are amendments which are not relevant to this Order.

(185) To which there are amendments which are not relevant to this Order.

(186) The section heading was substituted and subsection (1) was amended by the Local Transport Act 2008 (c.26), section 44(3), 64(1), (2) and (11) and 65(1). There are other amendments to section 155 which are not relevant to this Order.

(187) [S.I. 1978/1684.](#)

(188) Paragraph (3) was amended by [S.I. 1995/185](#), regulation 2(3).

(189) [S.I. 1986/1671](#). The Regulations were revoked in relation to Scotland by [SSI 2001/219](#), regulation 3(1) and Schedule 2.

(190) Regulation 3(1) and (2) were substituted by [S.I. 2004/10](#), regulations 2 and 4.

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<i>Provision</i>	<i>Amendment</i>
Regulation 7(191) (which modifies section 6 of the Transport Act 1985(192) in certain cases),	In paragraph (1)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.
Regulation 9(193) (variations of registered services),	In paragraph (3), for “the traffic commissioner with whom the service is registered”, substitute “a traffic commissioner”.
Regulation 9A(194) (cancellation).	In paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph (2)— (a) in sub-paragraph (a), for the words from “without first” to “to do so”, substitute “unless a notice in writing of the intention to do so has been sent by post”; and (b) in sub-paragraph (b), for “he sent the notice”, substitute “the notice was sent”.  In paragraph (4)— (a) for “The traffic commissioner”, substitute “A traffic commissioner”; and (b) omit “by him”.

**The Public Service Vehicles (Traffic Regulation Conditions) (England and Wales) Regulations 2004(195)**

<i>Provision</i>	<i>Amendment</i>
regulation 6 (requests for inquiries),	In paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph (2), for the words from “the traffic commissioner” to “traffic regulation conditions)”, substitute “for an inquiry to be held after a determination of traffic regulation conditions has been made)”.
Regulation 7 (appeals),	In paragraph (3)(a), after “is made”, insert “or, as the case may be, such other traffic commissioner as may be required by the senior traffic commissioner to deal with the appeal”.  In paragraph (3)(b), for “the traffic commissioner” where those words first occur, substitute “a traffic commissioner”.
regulation 8 (requirements for writing and delivery),	For “the traffic commissioner in question” substitute “a traffic commissioner”.
regulation 9 (computation of time).	In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.

(191) To which there are amendments which are not relevant to this Order.

(192) 1985 c.67.

(193) Regulation 9(3) was inserted by S.I. 1988/1879, regulation 6. There are other amendments to regulation 9 which are not relevant to this Order.

(194) Regulation 9A was inserted by S.I. 1988/1879, regulation 7. There are amendments which are not relevant to this Order.

(195) S.I. 2004/2682.

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**The Public Service Vehicles (Registration Restrictions)  
(England and Wales) Regulations 2009(196)**

<i>Provision</i>	<i>Amendment</i>
Regulation (interpretation),	2 In paragraph (1) in the definition of “notice”, for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 3 (procedure for giving notice),	In paragraph (2)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 4 (procedure for making relevant representations),	In paragraph (1)(b), for “who gave the notice”, substitute “dealing with the relevant application”.  In paragraph (3), for “the traffic commissioner”, substitute “the traffic commissioner dealing with the relevant application”.  In paragraph (4)— (a) for “the traffic commissioner has made a decision”, substitute “a decision has been made”; and (b) for “the traffic commissioner” in the second place where those words occur, substitute “the traffic commissioner dealing with the relevant application”.
regulation 5 (procedure to be followed in determining the application),	In paragraph (1)— (a) for “to the traffic commissioner, the traffic commissioner must”, substitute “, the traffic commissioner dealing with the relevant application must”; and (b) for “the relevant application”, substitute “the application”.  In paragraph (3)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph (5), for “the traffic commissioner” in the first place where those words occur, substitute “the traffic commissioner dealing with the relevant application”.
regulation 6 (period of notice for purposes of section 6 of the 1985 Act).	In paragraph (1), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”.  In paragraph (3)(a), for “the traffic commissioner”, substitute “the traffic commissioner dealing with the relevant application”.

**The Public Service Vehicles (Registration of Local Services) (Quality Contracts Schemes) (England and Wales) Regulations 2009(197)**

<i>Provision</i>	<i>Amendment</i>
regulation 4 (period of notice for new registration during transitional period),	In paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 5 (period of notice for cancellation)	In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.

(196)

S.I. 2009/443.

(197)

S.I. 2009/3245. These Regulations come into force as respects Wales on a date to be appointed.

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<i>Provision</i>	<i>Amendment</i>
of registration during transitional period),	
regulation 6 (period of notice for variation of registration during transitional period),	In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 7 (determination of period by traffic commissioner),	In paragraph (3), for “the traffic commissioner”, substitute “the traffic commissioner dealing with the matter in question”.
regulation 10 (prescribed time for submission of clearance certificate).	In paragraph (1)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.
	For “the traffic commissioner”, in both places where those words occur, substitute “a traffic commissioner”.

### **The Quality Contracts Schemes (Application of TUPE) Regulations 2009(198)**

<i>Provision</i>	<i>Amendment</i>
Regulation (interpretation),	2 In paragraph (1), in sub-paragraph (b) of the definition of “relevant operator”, for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 9 (additional provisions where situation in section 134B(2) arises).	In paragraph (1)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.

## SCHEDULE 5

Article 5

Amendments to subordinate legislation applying to England only

### **The Traffic Management (Guidance on Intervention Criteria) (England) Order 2007(199)**

<i>Provision</i>	<i>Amendment</i>
the Schedule Management 2004(200): management guidance on intervention criteria for England).	(Traffic Act network duties— In paragraph 40(5) omit the word “the” immediately preceding “Traffic Commissioners”.

(198)  
(199)  
(200)2004 c.18.

S.I. 2009/3246.  
S.I. 2007/339.

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

## The Quality Partnership Schemes (England) Regulations 2009(201)

<i>Provision</i>	<i>Amendment</i>
Regulation (interpretation),	2 In paragraph (1), for the definition of “traffic commissioner”, substitute— <p>““traffic commissioner” means a commissioner appointed under section 4 of the 1981 Act(202).”</p>
regulation 5 (definition of “relevant operator”),	In paragraphs (2)(b) and (3)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 7 (definition of “admissible objection”),	In paragraphs (6)(b) and (7)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 8 (procedure for making an objection),	In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 10 (decision of lead authority),	In paragraph (5), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 11 (referral to the traffic commissioner),	In both the heading and paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”. <p>In paragraph (3), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”.</p>
regulation 12 (provision of information to traffic commissioner),	In paragraph (1), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”. <p>After paragraph (7), add—  “(8) In this regulation, “the traffic commissioner” means the traffic commissioner dealing with the referral in question.”</p>
regulation 13(203) (assessors to assist traffic commissioners),	In paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”. <p>In paragraph (3), for “the traffic commissioner must pay that person”, substitute “that person must be paid”.</p>
regulation 14 (determination of the traffic commissioner),	In both the heading and paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”. <p>In paragraph (7), for “the traffic commissioner”, substitute “a traffic commissioner”.  <p>In paragraph (8)—  (a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and  (b) for “the traffic commissioner” in the second place where those words occur, substitute “the traffic commissioner dealing with the referral”.</p> </p>
regulation 15 (extension of time),	In paragraph (1), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”.

(201)

(202) 1981 c.14.

(203) Regulation 13 was amended by S.I. 2009/3248, regulation 2.



<i>Provision</i>	<i>Amendment</i>
regulation 16 (interpretation of Part 3),	In paragraph (e)(i), for “the traffic commissioner”, substitute “a traffic commissioner”.
regulation 18 (failure of lead authority to review requirements as to maximum fares).	In paragraph (3), for “the traffic commissioner”, substitute “a traffic commissioner”.

## SCHEDULE 6

Article 6

Amendments to subordinate legislation applying to Wales only

**The Traffic Management (Guidance on Intervention Criteria) (Wales) Order 2007(204)****Gorchymyn Rheoli Traffig (Canllawiau ar Feini Prawf Ymyrryd) (Cymru) 2007(205)**

*Provision in English followed by equivalent in Welsh*      *Amendment in English followed by equivalent in Welsh*

the Schedule (Traffic Management Act 2004: network management duties — guidance on intervention criteria for Wales).

yr Atodlen (Deddf Rheoli Traffig 2004: dyletswyddau i reoli'r rhwydwaith — canllawiau ar feini prawf ymyrryd ar gyfer Cymru).

In paragraph 37(5) omit the word “the” immediately preceding “Traffic Commissioners”.

Ym mharagraff 37(5) hepgorer y gair “y” yn union cyn “Comisiynwyr Traffig”.

**The Quality Partnership Schemes (Wales) Regulations 2009(206)****Rheoliadau Cynlluniau Partneriaethau Ansawdd (Cymru) 2009(207)**

*Provision in English followed by equivalent in Welsh*      *Amendment in English followed by equivalent in Welsh*

regulation 2 (interpretation),

In paragraph (1), for the definition of “traffic commissioner”, substitute—  
 ““traffic commissioner” means a commissioner appointed under section 4 of the 1981 Act(208).”

rheoliad 2 (dehongli),

Ym mharagraff (1), yn lle'r diffiniad o “comisiynydd traffig”, rhodder—

(204)

S.I. 2007/1712 (W. 149).

(205) O.S. 2007/1712 (Cy. 149).

(206)

S.I. 2009/3293 (W. 290).

(207) O.S. 2009/3293 (Cy. 290).

(208) 1981 c.14.

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<i>Provision in English followed by equivalent in Welsh</i>	<i>Amendment in English followed by equivalent in Welsh</i>
	“ystyr “comisiynydd traffig” (“ <i>traffic commissioner</i> ”) yw comisiynydd a benodwyd o dan adran 4 o Ddeddf 1981(209).”
regulation 5 (definition of “relevant operator”),	In paragraphs (2)(b) and (3)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.
rheoliad 5 (diffinio “gweithredwr perthnasol”),	Ym mharagraffau (2)(b) a (3)(a), yn lle “i’r comisiynydd traffig” rhodder “i gomisiynydd traffig”.
regulation 7 (definition of “admissible objection”),	In paragraphs (6)(b) and (7)(a), for “the traffic commissioner”, substitute “a traffic commissioner”.
rheoliad 7 (diffinio “gwrthwynebiad derbyniadwy”),	Ym mharagraffau (6)(b) a (7)(a), yn lle “i’r comisiynydd traffig” rhodder “i gomisiynydd traffig”.
regulation 8 (procedure for making an objection),	In paragraph (2), for “the traffic commissioner”, substitute “a traffic commissioner”.
rheoliad 8 (gweithdrefn ar gyfer gwrthwynebu),	Ym mharagraff (2), yn lle “y comisiynydd traffig”, rhodder “gomisiynydd traffig”.
regulation 10 (decision of lead authority),	In paragraph (5), for “the traffic commissioner”, substitute “a traffic commissioner”.
rheoliad 10 (penderfyniad yr awdurdod arweiniol),	Ym mharagraff (5), yn lle “y comisiynydd traffig”, rhodder “gomisiynydd traffig”.
regulation 11 (referral to the traffic commissioner),	In both the heading and paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”.  In paragraph (3), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”.
rheoliad 11 (atgyfeirio at y comisiynydd traffig),	Yn y pennawd ac ym mharagraff (1), yn lle “y comisiynydd traffig”, rhodder “gomisiynydd traffig”.  Ym mharagraff (3), yn lle “y comisiynydd traffig” yn y man cyntaf lle digwydd y geiriau hynny, rhodder “gomisiynydd traffig”.
regulation 12 (provision of information to traffic commissioner),	In paragraph (1), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”.  After paragraph (7), add— “(8) In this regulation, “the traffic commissioner” means the traffic commissioner dealing with the referral in question.”
rheoliad 12 (darparu gwybodaeth i’r comisiynydd traffig),	Ym mharagraff (1), yn lle “y comisiynydd traffig”, rhodder “gomisiynydd traffig”.  Ar ôl paragraff (7) ychwaneger— “(8) Yn y rheoliad hwn, ystyr “y comisiynydd traffig” (“ <i>the traffic commissioner</i> ”) yw’r comisiynydd traffig sy’n ymdrin â’r atgyfeiriad o dan sylw.”

<i>Provision in English followed by equivalent in Welsh</i>	<i>Amendment in English followed by equivalent in Welsh</i>
regulation 13 (assessors to assist traffic commissioners),	In paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”. In paragraph (3), for “the traffic commissioner must pay that person”, substitute “that person must be paid”.
rheoliad 13 (aseswyr i gynorthwyo comisiynwyr traffig),	Ym mharagraff (1), yn lle “y comisiynydd traffig”, rhodder “comisiynydd traffig”. Ym mharagraff (3), yn lle “rhaid i’r comisiynydd traffig dalu i’r person hwnnw”, rhodder “rhaid talu i’r person hwnnw”.
regulation 14 (determination of the traffic commissioner),	In both the heading and paragraph (1), for “the traffic commissioner”, substitute “a traffic commissioner”. In paragraph (7), for “the traffic commissioner”, substitute “a traffic commissioner”. In paragraph (8)— (a) for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”; and (b) for “the traffic commissioner” in the second place where those words occur, substitute “the traffic commissioner dealing with the referral”.
rheoliad 14 (penderfyniad y comisiynydd traffig),	Yn y pennawd, yn lle “y comisiynydd traffig” rhodder “comisiynydd traffig” ac ym mharagraff (1), yn lle “i’r comisiynydd traffig”, rhodder “i gomisiynydd traffig”. Ym mharagraff (7), yn lle “y comisiynydd traffig”, rhodder “gomisiynydd traffig”. Ym mharagraff (8)— (a) yn lle “y comisiynydd traffig”, rhodder “gomisiynydd traffig”; a (b) yn lle “i’r comisiynydd traffig”, rhodder “i’r comisiynydd traffig sy’n ymdrin â’r atgyfeiriad”.
regulation 15 (extension of time),	In paragraph (1), for “the traffic commissioner” in the first place where those words occur, substitute “a traffic commissioner”.
rheoliad 15 (estyniad amser),	Ym mharagraff (1), yn lle “fo’r comisiynydd traffig”, rhodder “fo comisiynydd traffig”.
regulation 16 (interpretation of Part 3),	In paragraph (e)(i), for “the traffic commissioner”, substitute “a traffic commissioner”.
rheoliad 16 (dehongli Rhan 3),	Ym mharagraff (d)(i), yn lle “i’r comisiynydd traffig”, rhodder “i gomisiynydd traffig”.
regulation 18 (failure of lead authority to review requirements as to maximum fares).	In paragraph (3), for “the traffic commissioner”, substitute “a traffic commissioner”.
rheoliad 18 (methiant awdurdod arweiniol i	Ym mharagraff (3), yn lle “y comisiynydd traffig”, rhodder “gomisiynydd traffig”.

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*Provision in English followed by equivalent in Welsh*      *Amendment in English followed by equivalent in Welsh*

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adolygu gofynion o ran  
prisiau teithio uchaf).

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

The Local Transport Act 2008 removed the link between traffic commissioners and traffic areas and created the office of senior traffic commissioner. This Order makes consequential and supplementary amendments to primary and subordinate legislation that are consistent with these changes.

A full impact assessment of the effect that the amendments will have on the costs of business and the voluntary sector is available from the Operator Licensing and Roadworthiness Division at the Department for Transport, Great Minster House, 33 Horseferry Road, London, SW1P 4DR and from the Department's website at <http://www.dft.gov.uk/consultations/dft-2011-11>. It is also published with the Explanatory Memorandum alongside this instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk)