



2011 CHAPTER 11

PART 6

MISCELLANEOUS AND SUPPLEMENTARY

Interpretation

46.—(1) In this Act—

“the 1967 Act” means the Transport Act (Northern Ireland) 1967 (c. 37);

“the 1995 Order” means the Road Traffic (Northern Ireland) Order 1995 (NI 18);

“authorised person”, except in section 42, means—

- (a) any person authorised in writing by the Department for the purposes of this Act; or
- (b) an examiner appointed by the Department of the Environment under Article 74 of the 1995 Order;

“company” and “subsidiary” have the meanings given in section 1159 of the Companies Act 2006 (c. 46);

“the Consumer Council” means the General Consumer Council for Northern Ireland;

“the Department” means the Department for Regional Development;

“modification” includes addition, omission and alteration;

“owner”, in relation to any land in Northern Ireland, means a person, other than a mortgagee not in possession, who, whether in that person's own right or as trustee for any other person, is entitled to receive the rack rent of the land or, where the land is not let at a rack rent, would be so entitled if it were so let;

“passenger transport”, except in the expression “public passenger transport services”, means—

(a) public passenger transport services excluding, except in sections 23(7) and 25(2), rail services; and

(b) the use of a vehicle under a permit under section 10B of the 1967 Act;

“prescribed” means prescribed by regulations;

“public passenger transport services” has the meaning given in section 1(4);

“public service contracts” has the same meaning as in Article 2 of Regulation (EC) No. 1370/2007 as amended from time to time;

“Regulation (EC) No. 1370/2007” means Regulation (EC) No. 1370/2007 of the European Parliament and of the Council of 23rd October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos. 1191/69 and 1107/70;

“regulations” means regulations made by the Department;

“reward” has the meaning given in section 46(a) of the 1967 Act;

“road” has the same meaning as in Article 2(2) of the 1995 Order;

“service agreement” and “service permit” have the meanings given in section 1(4);

“statutory provision” has the same meaning as in section 1(f) of the Interpretation Act (Northern Ireland) 1954 (c. 33);

“Upper Tribunal” means the Upper Tribunal constituted under section 3 of the Tribunals, Courts and Enforcement Act 2007 (c. 15).

(2) For the purposes of this Act, the driver of a vehicle, if it belongs to the driver or is in the driver's possession under an agreement for hire, hire-purchase or loan, and in any other case the person whose servant or agent the driver is, shall be deemed to be the person using the vehicle.

(3) In its application to this Act, the Interpretation Act (Northern Ireland) 1954 (c. 33) has effect as if—

(a) in section 20 (offences by corporations), subsection (3) were omitted; and

(b) in section 24(1) (notice by post), the word “registering” were omitted.

Changes to legislation:

There are currently no known outstanding effects for the Transport Act (Northern Ireland) 2011, Section 46.