



# Transport Act 1968

## 1968 CHAPTER 73

### PART X

#### MISCELLANEOUS AND GENERAL

#### 159 Interpretation-general

(1) In this Act, except where the context otherwise requires, and except in any Part as respects which the expression in question is separately defined, the following expressions have the following meanings respectively, that is to say—

" the Act of 1960 " means the Road Traffic Act 1960;

" the Act of 1962 " means the Transport Act 1962 ;

" appointed day " means the relevant day appointed under section 166(2) of this Act;

" area bus service " means a bus service which is, or so far as it is, a service on which passengers may be taken up and set down at different places within the same area designated under section 9(1) of this Act, whether or not any passengers on that service may also be taken up or set down outside that area ;

" the Boards " means the Boards established under section 1 of the Act of 1962, namely, the British Railways Board, the London Transport Board, the British Transport Docks Board and the British Waterways Board, and references to a Board shall be construed accordingly;

" the Bus Company " means the National Bus Company established under section 24 of this Act;

" bus service " means a service for the carriage of passengers by road for which a road service licence is required, or would but for section 19 (3) (a) of this Act be required, other than an excursion or tour ;

" charges " includes fares, rates, tolls and due" of every description;

" the Docks Board " means the British Transport Docks Board established under section 1 of the Act of 1962;

" excursion or tour " means, subject to section 21(2) and (3) of this Act, a service for the carriage of passengers by road which is, or is predominantly, of

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such a nature that it could be provided under a road service licence authorising only excursions or tours, that is to say, is a service which consists, or consists predominantly, of the carriage by stage or express carriage of passengers at separate fares entitling those passengers to travel together on a journey, with or without breaks, the timing of which is not regulated by the terms of the road service licence, from the place or places at which the passengers are taken up (being the same place or two or more places in the same vicinity) to one or more other places and back to the place or places at which they were taken up, not being—

(a) a service provided as part of, or as an addition to, a regular service at fixed times on which all the passengers are not expected to complete the whole of that journey ; or

(b) a service required to be provided in accordance with traffic requirements;

" express carriage " and " stage carriage " have the same meanings respectively as for the purposes of the Act of 1960;

" ferry service " means a transport service by water (including such a service by means of a hovercraft) which carries passengers and operates regularly between two or more points both or all of which are in Great Britain;

" the Freight Corporation " means the National Freight Corporation established under section 1 of this Act;

" functions " includes powers, duties and obligations ;

" goods " includes animals and mails ;

" harbour " has the same meaning as in the Act of 1962 ;

" highway authority " in relation to any highway means—

(a) for the purposes of the application of this Act to England or Wales, the highway authority for that highway under Part I of the Highways Act 1959;

(b) for the purposes of the application of this Act to Scotland— (i) where the highway is a trunk road, the Secretary of State; and

(i) in any other case, the county council or the town council of a burgh charged with the maintenance and management of any of the highways therein;

" the Holding Company " means the Transport Holding Company established under section 29 of the Act of 1962;

" hovercraft " has the same meaning as in the Hovercraft Act 1968;

" inland waterway " includes every such waterway whether natural or artificial;

" land " includes land covered by water and any interest or right in, over or under land ;

" lease " includes an agreement for a lease ;

" liability " includes an obligation ;

" the London Board " means the London Transport Board established under section 1 of the Act of 1962 ;

" the Minister " means, save as otherwise expressly provided and in particular subject to sections 7(7), 8(5), 9(6), 17(6)(a) and 28(6) of this Act, the Minister of Transport;

" the new authorities " means the Freight Corporation, the Bus Company and the Scottish Group ;

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" participant ", in relation to a pension scheme, means a person who (whether he is referred to in the scheme as a member, as a contributor or otherwise) contributes or has contributed under the scheme and has pension rights thereunder and " participate " shall be construed accordingly;

" pension ", in relation to a person, means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions to a pension fund, with or without interest thereon or any other addition thereto and any sums payable on or in respect of the death of that person;

" pension fund " means a fund established for the purposes of paying pensions;

" pension rights " includes, in relation to any person, all forms of right to or eligibility for the present or future payment of a pension, and any expectation of the accruer of a pension under any customary practice, and includes a right of allocation in respect of the present or future payment of a pension ;

" pension scheme " includes any form of arrangement for the payment of pensions, whether subsisting by virtue of Act of Parliament, trust, contract or otherwise;

" plated weight ", in relation to a vehicle, means a weight required to be marked on it by means of a plate in pursuance of regulations made by virtue of section 64 of the Act of 1960 or required to be so marked by section 10 of the Road Safety Act 1967 ;

" public service vehicle " has the same meaning as for the purposes of the Act of 1960;

" the Railways Board " means the British Railways Board established under section 1 of the Act of 1962 ;

" road service licence " has the same meaning as for the purposes of the Act of 1960 and except in section 30 of this Act includes a permit granted under the said section 30;

" Scottish Group " means the Scottish Transport Group established under section 24 of this Act;

" securities ", in relation to a body corporate, means any shares, stock, debentures, debenture stock, and any other security of a like nature, of the body corporate;

" subsidiary " and " wholly-owned subsidiary ", subject to section 51(5) of this Act, have the same meanings respectively as in the Act of 1962 ;

" vehicle " includes a hovercraft;

" the Waterways Board " means the British Waterways Board established under section 1 of the Act of 1962 ;

" Wales " includes Monmouthshire, and references to England shall be construed accordingly.

- (2) Except where the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as amended, extended or applied by or under any other enactment, including this Act.