



Road and Rail Traffic Act 1933

1933 CHAPTER 53

PART III

GENERAL.

46 Transport Advisory Council.

(1) For the purpose of giving advice and assistance to the Minister of Transport (in this section referred to as "the Minister") in connection with the discharge by him of his functions in relation to means of and facilities for transport and their co-ordination, improvement and development, there shall be constituted a council, which shall be called " the Transport Advisory Council" and is in this section referred to as " the Council."

(2) The members of the Council shall be appointed by the Minister and shall include representatives of the interests specified in the first column of the Second Schedule to this Act to the number specified in relation to those interests respectively in the second column of the said schedule and such number, not exceeding three, of additional members as the Minister may from time to time think fit to appoint :

Provided that the representatives of the interests of labour shall be appointed after consultation with the Minister of Labour.

(3) Subject to the provisions of this section, a representative member of the Council shall hold office for such period not being less than three nor more than five years from the date of his appointment as may be determined by the Minister at the time of his appointment, but shall be eligible for re-appointment at the expiration of that period.

An additional member shall hold office for such period as may be determined by the Minister at the time of his appointment, but shall be eligible for re-appointment at the expiration of that period.

(4) Before appointing a person to be a representative member of the Council the Minister shall consult with such bodies or associations representative of the interest concerned as he thinks fit.

Status: This is the original version (as it was originally enacted).

- (5) The Minister shall appoint one of the members of the Council to be the chairman thereof and shall appoint an officer of the Ministry of Transport to act as the secretary thereof.
- (6) The duties of the Council shall not extend to giving advice to the Minister upon any matter which by any enactment in force at the date of the passing of this Act is specifically directed to be referred for consideration to the London and Home Counties Traffic Advisory Committee, and the Council shall consult with that Committee before giving advice to the Minister on any matter, a decision with respect to which may, in the opinion of the Council, affect materially conditions in the London Traffic Area.
- (7) The Council, so far as it considers it necessary or desirable so to do for the purpose of the proper discharge of its functions, may by notice in writing require any person to furnish to the Council returns or other information, or, subject to the payment or tender of the reasonable expenses of his attendance, to attend as a witness before the Council and to give evidence or to produce documents, and if a person fails without reasonable excuse to comply with the provisions of any such notice he shall be liable on summary conviction to a fine not exceeding fifty pounds, and in the case of a second or subsequent conviction to a fine not exceeding two hundred pounds.
- (8) A committee of the Council may be constituted consisting of such members of the Council as the Council may with the approval of the Minister appoint, together with any members of the advisory panel set up under section twenty-three of the Ministry of Transport Act, 1919, whom the Minister may appoint to be members of the committee, and the Council may, with the consent of the Minister, delegate any of its powers and duties to a committee so constituted.

Where a committee is constituted under this subsection, the Council shall, with the approval of the Minister, appoint a member of the committee to be the chairman thereof.

- (9) The Council may make rules for regulating the proceedings, including the quorum, of the Council or of any committee thereof.
- (10) The Minister may, out of moneys provided by Parliament, pay such expenses of the Council as he, with the approval of the Treasury, may determine.
- (11) Section twenty-two of the Ministry of Transport Act, 1919 (which provides for the appointment of a Roads Committee), shall cease to have effect.

47 Inquiries by Minister.

- (1) The Minister of Transport (in this section referred to as "the Minister") may hold inquiries for the purposes of this Act or of the Road Traffic Act, 1930 (including appeals to him under either of those Acts) as if those purposes were purposes of the Ministry of Transport Act, 1919, and section twenty of that Act shall apply accordingly.
- (2) Where any such inquiry is held, the Minister may make such order as to the payment of the costs incurred by him in connection with the inquiry (including such reasonable sum not exceeding five guineas a day as he may determine for the services of any officer engaged in the inquiry) by such party to the inquiry as he thinks fit, and the Minister may certify the amount of the costs so incurred, and any amount so certified and directed by the Minister to be paid by any person shall be recoverable from him either as a debt due to the Crown or by the Minister summarily as a civil debt.

- (3) Section one hundred and fourteen of the Road Traffic Act, 1930, shall cease to have effect.

48 Repeals.

The enactments mentioned in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

49 Short title, commencement and extent.

- (1) This Act may be cited as the Road and Rail Traffic Act, 1933.
- (2) This Act shall come into operation on such day or days as the Minister of Transport may appoint, and the Minister may fix different days for different purposes and different provisions of this Act.
- (3) This Act shall not extend to Northern Ireland.