

STATUTORY INSTRUMENTS

1984 No. 175 (C.1)**ROAD TRAFFIC****The Transport Act 1982 (Commencement No. 5) Order 1984**

Made - - - - 20th February 1984

The Secretary of State for Transport, in exercise of the powers conferred by section 76(2), (4) and (5) of the Transport Act 1982 (a) and of all other enabling powers, hereby makes the following Order:—

1. This Order may be cited as the Transport Act 1982 (Commencement No. 5) Order 1984.

2. The 1st June 1984 is hereby appointed as the day on which the following provisions (which relate to goods vehicle operators' licences) of the Transport Act 1982 come into force, namely—

Section 52,

Schedule 4, and

Schedule 5, paragraph 6, and

Schedule 6 so far as it relates to the Transport Act 1968 (b).

3. The following transitional provisions shall have effect in relation to the coming into force of the new provisions:—

(1) Save as provided below, any operator's licence issued before 1st June 1984 shall, on and after that date, be deemed to have been issued as if the new provisions had been in force when the licence was issued, but without prejudice to the application on and after that date of the new provisions in respect of the licence or any operations carried out thereafter by the holder of the licence.

(2) In respect of any licence of a kind mentioned in paragraph (1) above, the provisions of section 69A(1) of the 1968 Act shall, as regards any place in use by the holder of an operator's licence on 1st June 1984 in such a manner that it becomes an operating centre for vehicles authorised in the licence on that date although it was not such a centre before that date, be deemed to be satisfied in the area of the licencing authority by whom the licence was issued or by whom it is deemed by virtue of the Traffic Areas (Reorganisation) (No. 2) Order 1983 (c) to have been issued.

(3) In a case where a condition attached to a licence issued before 1st June 1984 relates to a place which was an operating centre when the condition was imposed but which, by virtue of the coming into force of the new provisions, ceases to be an operating centre the licence shall be deemed to have been varied so as to delete that condition.

(4) Any application for an operator's licence, or for the variation of an operator's licence, received by a licensing authority before 1st June 1984 but not determined before that date shall be determined as if the new provisions had not come into force, but without prejudice to the application, after such

(a) 1982 c.49.

(b) 1968 c.73.

(c) S.I. 1983/1714.

determination, of the new provisions in respect of any licence issued or varied in consequence of any such determination or any operations carried out thereafter by the holder of the licence.

(5) Any operator's licence which is issued or varied pursuant to an application as mentioned in paragraph (4) above shall, as from the date of the issue or variation, be deemed to have been issued or varied as if the new provisions were in force when the licence was issued or varied.

(6) Any process relating to the revocation, suspension or curtailment of an operator's licence or the termination of an operator's licence on a date earlier than that on which it would otherwise expire under section 67 of the 1968 Act, started by virtue of section 69 of the 1968 Act before 1st June 1984 but not completed before that date shall be completed as if the new provisions had not come into force.

4. In this Order—

“operator's licence” has the meaning given by section 60(1) of the 1968 Act;

“the new provisions” means the provisions specified in Article 2 above and any regulations coming into operation on or after 1st June 1984 in exercise of powers conferred by the 1968 Act; and

“the 1968 Act” means the Transport Act 1968.

Nicholas Ridley,
Secretary of State for Transport.

20th February 1984.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force on 1st June 1984 the provisions of the Transport Act 1982 which are referred to in Article 2. These provisions relate to goods vehicle operators' licences. Article 3 contains transitional provisions pursuant to section 76(4) and (5) of the said Act. Article 4 defines terms used in Article 3.

NOTE OF EARLIER COMMENCEMENT ORDERS

(This Note is not part of the Order.)

The following provisions of the Transport Act 1982 have been brought into force by Commencement Orders before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Part I	20.12.82	1982/1804
Section 16	1.11.82	1982/1561
Section 57	11.4.83	1983/276
Section 58	1.11.82	1982/1561
Section 59	6.5.83	1983/577
Sections 60 and 61	1.11.82	1982/1561
Section 63	11.4.83	1983/276
Section 64	20.12.82	1982/1804
Section 65	11.4.83	1983/276
Section 67	20.12.82	1982/1804
Sections 68 and 70	1.11.82	1982/1561
Section 71	20.12.82	1982/1804
Section 72 (partially)	1.11.82	1982/1561
Schedule 5, paragraph 10(b)	1.4.83	1983/276
Schedule 5, paragraph 13	6.5.83	1983/577
Schedule 5, paragraphs 25 and 26	1.11.82	1982/1561
Schedule 6, (partially)	1.11.82	1982/1561

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