

1984 No. 31**PUBLIC PASSENGER VEHICLES****The Metropolitan Traffic Area (Transfer
of Functions) Order 1984**

Made - - - - 16th January 1984

Coming into Operation 1st April 1984

The Secretary of State for Transport, in exercise of the powers conferred by section 62 of the Public Passenger Vehicles Act 1981(a) and of all other enabling powers hereby makes the following Order:—

1. This Order shall come into operation on 1st April 1984 and may be cited as the Metropolitan Traffic Area (Transfer of Functions) Order 1984.

2. In this Order—

“the Act” means the Public Passenger Vehicles Act 1981, and a reference to a section followed by a number is a reference to the section bearing that number in the Act;

“the commissioner” means the commissioner of police of the metropolis;

“licence” means a licence to drive a public service vehicle;

“Metropolitan Traffic Area” means the traffic area of that name constituted for the purposes of the Act; and

“the traffic commissioners” means the traffic commissioners for the Metropolitan Traffic Area.

3.—(1) As regards persons residing in the Metropolitan Traffic Area the functions of the commissioner of granting licences are hereby transferred to the traffic commissioners.

(2) The transfer mentioned in paragraph (1) above shall take effect on 1st April 1984, and shall be subject to the transitional provisions specified in Article 4 below.

4.—(1) Any licence granted by the commissioner before 1st April 1984 shall, on and after that date, be deemed to have been granted by the traffic commissioners.

(a) 1981 c. 14.

(2) Any application for a licence made to, but not determined by, the commissioner before 1st April 1984 shall, on and after that date, be deemed to have been made to the traffic commissioners and, save as provided in paragraph (3) below, any action taken by the commissioner in consequence of the application shall be deemed to have been taken by the traffic commissioners.

(3) If a person, being the holder of, or an applicant for, a licence, feels aggrieved by the refusal or failure of the commissioner as mentioned in section 23(1), and makes a requirement as mentioned in section 23(1) before 1st April 1984 and the reconsideration in respect of that requirement has not been completed before that date, the requirement shall be deemed to have been made to the traffic commissioners, and any action taken by the commissioner in respect of that requirement shall be disregarded.

(4) Any fee charged in accordance with section 52(1)(b) by the commissioner in respect of an application for a licence or the provision of facilities shall, if the application has not been determined or the facilities have not been provided before 1st April 1984, be deemed to have been charged by the traffic commissioners.

(5) The last report of the commissioner pursuant to section 55 shall be in respect of the period from 1st April 1983 to 31st March 1984.

(6) Any request to inspect, and take copies of, or extracts from, the record kept by the commissioner as mentioned in section 56(2) which is made before 1st April 1984 but not complied with before that date shall, on and after that date, be deemed to have been made to the traffic commissioners.

5. The following modifications of the Act are hereby made:—

- (a) in section 4, subsection (2) is omitted;
- (b) in section 22, in subsection (2), for the words following “shall be” there are substituted the words “the traffic commissioners for the traffic area in which that person resides at the time when he applies for a licence.”;
- (c) in section 23—
 - (i) in subsection (1), the words “or the commissioner of police of the metropolis”, “or commissioner, as the case may be”, and “or him” are omitted;
 - (ii) in subsection (2), the words “or commissioner” are omitted in both places where they occur;
- (d) in section 52—
 - (i) in subsection (1)(b), the words “and by the commissioner of police for the metropolis”, and “or the said commissioner of police” are omitted,
 - (ii) in subsection (2), the words “or the said commissioner” are omitted, and
 - (iii) subsection (4) is omitted;

- (e) in section 53, subsection (2) is omitted;
- (f) in section 55, the words “and the commissioner of police of the metropolis shall make a like report as regards the exercise of his functions with respect to licences to drive public service vehicles” are omitted;
- (g) in section 56—
 - (i) in subsection (1), the words “, and the commissioner of police of the metropolis,” are omitted, and
 - (ii) in subsection (2), the semi-colon after the words “under this section by them” and the words following that semi-colon are omitted; and
- (h) section 63 is omitted.

Nicholas Ridley,
Secretary of State for Transport.

16th January 1984.

EXPLANATORY NOTE

(This Note is not part of the Order.)

1. This Order, made under section 62 of the Public Passenger Vehicles Act 1981, provides that as regards persons residing in the Metropolitan Traffic Area (as constituted for the purposes of the Public Passenger Vehicles Act 1981) the functions of the commissioner of police of the metropolis of granting licences to drive public service vehicles are transferred to the traffic commissioners for that area (see Articles 2 and 3(1)). This transfer shall take effect on 1st April 1984 (see Article 3(2)).

2. Article 4 contains transitional provisions.

3. Article 5 provides for such modifications, as defined in section 82(1) of the Public Passenger Vehicles Act 1981, to that Act as are necessary for giving effect to the transfer of functions effected by this Order.

SI 1984/31
ISBN 0-11-046031-6



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