

1990 No. 1708

PUBLIC PASSENGER TRANSPORT

**Section 19 Minibus (Designated Bodies) (Amendment)
Order 1990**

Made - - - - - *17th August 1990*

Laid before Parliament *28th August 1990*

Coming into force *18th September 1990*

The Secretary of State for Transport, in exercise of the powers conferred by section 19(7) of the Transport Act 1985(a) and sections 195(10), 231(2), (3)(d) and 5(b) of the Education Reform Act 1988(b) and all other enabling powers, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Section 19 Minibus (Designated Bodies) (Amendment) Order 1990 and shall come into force on 18th September 1990.

(2) In this Order, the “principal Order” means the Section 19 Minibus (Designated Bodies) Order 1987(c).

Preliminary

2. The principal Order shall be amended in accordance with articles 3, 4 and 5 of this Order.

Amendments to article 2 (interpretation)

3. For article 2 there should be substituted the following article—

“(2) In this Order—

“the Act” means the Transport Act 1985;

“charter”, in relation to a body incorporated by charter granted in pursuance of Royal prerogative, means its charter as originally framed or as from time to time altered by supplemental charter or otherwise and includes a supplemental charter replacing the original charter;

“the Constitution of the Girls’ Brigade in England and Wales” means the rules as from time to time amended entitled “The Constitution of the Girls’ Brigade made under the articles of association of the Girls’ Brigade as from time to time amended.”.

Amendments consequential on the abolition of ILEA

4. In the Schedule—

(a) for the entry in column (2) of item 5, there shall be substituted—

“the council of every London borough or the Common Council of the City of London.”; and

(a) 1985 c.67

(b) 1988 c.40.

(c) S.I. 1987/1229.

(b) items 6, 7 and 8 shall be omitted.

New designated bodies

5. In the Schedule amended as above—

(a) after item 30, there shall be inserted the following item—

“30A	The Central Council of Probation Committees	38 Belgrave Square, London SW1X 8NT	Probation committees constituted by section 37 of the Justices of the Peace Act 1949(a) or the Powers of Criminal Courts Act 1973(b).”;
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(b) after item 46, there shall be inserted the following item—

“46A	Friends Trusts Limited	Friends House, Euston Road, London NW1 2BJ	Charitable bodies in relation to which the designated body acts as custodian trustee.”;
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(c) after item 47 there shall be inserted the following item—

“47A	The Girls’ Brigade	Girls’ Brigade House, Foxhall Road, Didcot, Oxfordshire OX11 7BQ	Companies of girls which are units formed under the Constitution of the Girls’ Brigade in England and Wales.”;
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(d) after item 65 there shall be inserted the following item—

“65A	The Royal Society for the Protection of Birds	The Lodge, Sandy, Bedfordshire SG19 2DL	Bodies consisting of members of the society established as branches of the society in accordance with the society’s charter and statutes made thereunder.”;
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(e) after item 76 there shall be inserted the following item—

“76A	The Scripture Union-Scotland	9 Canal Street, Glasgow G4 0AB	Bodies which are affiliated to the designated body.”; and
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(f) after item 79 there shall be inserted the following item—

“79A	ToCH	1 Forest Close, Wendover, Aylesbury, Buckinghamshire HP22 6BT	Bodies consisting of— (a) groups of members established as branches of the designated body, or (b) Affiliated Associations recognised by the designated body, in accordance with its charter.”.
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(a) 1949 c.101.

(b) 1973 c.62.

Transitional

6.—(1) In this article—

“1988 Act” means the Education Reform Act 1988;

“ILEA” means the Inner London Education Authority;

“permit” means a permit granted under section 19 of the Transport Act 1985.

(2) Section 195(2) to (9) of the 1988 Act shall cease to apply to the function of granting permits.

(3) Any permit issued to a body by ILEA before 1st April 1990 (being the date upon which ILEA ceased to exist by virtue of section 192 of the 1988 Act) shall, so far as required for continuing its effect, have effect as if it had been granted by the local authority which would have power to grant such a permit to the body under item 5 of the Schedule to the principal Order as amended by this Order.

Signed by authority of the
Secretary of State for Transport

17th August 1990

Christopher Chope
Parliamentary Under Secretary of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Minibus (Designated Bodies) Order 1987 and contains some provisions made in consequence of the abolition of the Inner London Education Authority ("ILEA").

Where a vehicle is used under a permit granted under section 19 of the Transport Act 1985, for the carriage of passengers for hire or reward the operator does not need an operator's licence and the driver need not be the holder of a public service vehicle driver's licence, provided that certain requirements are met. The Secretary of State can by order designate bodies entitled to grant a permit. A body so designated can grant a permit to itself or to any other body to whom in accordance with the order, it is entitled to grant a permit. A number of bodies were designated by the 1987 Order. This Order adds the following bodies to the designated list:

The Central Council of Probation Committees;
Friends Trusts Limited;
The Girls' Brigade;
The Royal Society for the Protection of Birds;
The Scripture Union — Scotland; and
ToCH.

In each case, the other bodies to whom a permit can be granted are specified.

The 1987 Order contained provisions designating ILEA for the purposes of section 19. ILEA ceased to exist on the 1st of April 1990. Those provisions are amended so that in cases where ILEA could have granted a permit before it was abolished on the 1st of April 1990 permits can now be granted by specified local authorities.

Article 5 provides that any permit issued by ILEA is to continue to have effect as if it had been granted by the local authority which would have power to issue such a permit under the 1987 Order as now amended.

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