

SCHEDULE 1

Article 2(1)

PART 1

PROVISIONS COMING INTO FORCE ON 9TH FEBRUARY 2009

- Section 1, in so far as it is not already in force.
- Section 6, in so far as it is not already in force.
- Section 47, and accordingly Schedule 3, in so far as they are not already in force.
- Sections 50 to 52, in so far as they are not already in force.
- Sections 62 and 63.
- Section 65(2) to (4), in so far as it is not already in force.
- Sections 66 and 67.
- Section 74, in so far as it is not already in force.
- Section 76.
- Sections 77 to 102, and accordingly Schedule 4, in so far as they are not already in force.
- Section 112(2), in so far as it is not already in force.
- Section 113(5) to (7), in so far as it is not already in force.
- Section 115(3) to (5), in so far as it is not already in force.
- Section 116(4) to (8).
- Section 117(2).
- Section 118(6) to (9).
- Section 119.
- Section 120, in so far as it is not already in force.
- Section 121 (in so far as it relates to Part 2 of Schedule 6), and accordingly Part 2 of Schedule 6.
- Sections 125 and 126, in so far as they are not already in force.
- Sections 128 to 130.
- Section 131, in so far as it relates to the following entries in Parts 3, 4 and 5 of Schedule 7—
- the TA 1968(1),
 - the Local Government Act 1985(2),
 - entries for the TA 1985(3) relating to—
 - sections 9 and 60 of,
 - section 58(2)(a) and (4)(c) of, and
 - paragraph 18(c) of Schedule 3 to,
 - that Act,
 - the Education Reform Act 1988(4),
 - the GLA Act 1999(5),

(1) The Transport Act 1968, as defined in section 132 of the Act.

(2) 1985 c. 51.

(3) The Transport Act 1985, as defined in section 132 of the Act.

(4) 1988 c. 40.

(5) The Greater London Authority Act 1999, as defined in section 132 of the Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

section 156 of the TA 2000, and
the Constitutional Reform Act 2005(6),
and accordingly those repeals.

PART 2

TRANSITIONAL PROVISIONS IN RELATION TO CERTAIN PROVISIONS COMING INTO FORCE ON 9TH FEBRUARY 2009

1. Notwithstanding the coming into force of section 51 of the Act, section 9 of the TA 1985 (appeals against traffic regulation conditions) is to continue to apply without the amendments made by section 51 of the Act as respects appeals made before 9th February 2009.

2.—(1) Notwithstanding the coming into force of section 62 of the Act, the powers of traffic commissioners conferred by section 26 of the TA 1985 (conditions attached to PSV operator's licence) are to continue to apply without the amendments made by section 62 of the Act as respects any failure to comply with requirements listed in that section which took place before 9th February 2009.

(2) Notwithstanding the coming into force of section 63 of the Act, the powers of traffic commissioners conferred by section 27A of the TA 1985 (additional powers where service not operated as registered) are not available to a traffic commissioner in any case where it appears to a traffic commissioner that an operator—

- (a) has, or may have, failed to operate a local service registered under section 6 of the TA 1985; or
- (b) has, or may have, failed to operate such a service in accordance with the particulars registered under that section,

and that failure, or alleged failure, took place before 9th February 2009.

SCHEDULE 2

Article 2(2)

PART 1

PROVISIONS COMING INTO FORCE ON 9TH FEBRUARY 2009 AS RESPECTS ENGLAND

Section 7, and accordingly Schedule 1.

Section 8.

Section 9(2) (in so far as it relates to section 9(4) and (5)), and section 9(4) and (5).

Sections 10 to 12.

Section 13(1) (in so far as it relates to section 13(2)) and section 13(2).

Section 46, and accordingly Schedule 2.

Section 64.

Section 65(1).

(6) 2005 c. 4.

Section 68(1) (in so far as it relates to section 68(3)) and section 68(3).
Sections 69 to 71.
Section 75, in so far as it is not already in force.
Sections 103 to 111, and accordingly Schedule 5, in so far as they are not already in force.
Section 112(1).
Section 113(1) to (4), in so far as it is not already in force.
Section 114.
Section 115(1) and (2), in so far as it is not already in force.
Section 116(1) to (3), in so far as it is not already in force.
Section 117(1).
Section 118(1) to (5).
Section 121 (in so far as it relates to Part 1 of Schedule 6), and accordingly Part 1 of Schedule 6.
Section 131, in so far as it relates to the following entries in Parts 1, 2, 3 and 5 of Schedule 7—
 section 9A(7) of the TA 1968,
 entries for the TA 1985 relating to—
 section 63(8) and (8A),
 sections 74(3) to (12), 75(3) and 79(3), (7) and (8), and
 section 89(7)(b) and (8) of,
 that Act,
 entries for the TA 2000 relating to Part 2 of the Act,
 entries for the TA 2000 relating to—
 section 155(2) and (4) of, and
 Schedule 10 and paragraph 13 of Schedule 11 to,
 that Act,
 entries for the TA 2000 relating to Part 6 of the Act, and
 the Enterprise Act 2002(7),
and accordingly those repeals.

PART 2

TRANSITIONAL PROVISIONS IN RELATION TO CERTAIN PROVISIONS COMING INTO FORCE ON 9TH FEBRUARY 2009 AS RESPECTS ENGLAND

1.—(1) Subject to paragraph (2), notwithstanding the coming into force of section 8 of the Act, local transport policies developed, and local transport plans prepared and published, by a local transport authority before 9th February 2009 shall continue to have effect until 1st April 2011 as though section 108 of the TA 2000 (local transport plans) had not been amended by section 8.

(2) Paragraph (1) shall not apply to the extent that the local transport policies and plans of a local transport authority are altered by that authority before 1st April 2011.

(7) 2002 c. 40.

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2. Notwithstanding the coming into force of section 10 of the Act, a bus strategy prepared by a local transport authority in accordance with section 110 of the TA 2000 (bus strategies) shall continue to have effect as respects section 124(1)(a) of that Act (quality contracts schemes).

3. Local transport policies and plans developed and prepared jointly for an integrated transport area by an Integrated Transport Authority and the councils for the metropolitan districts comprised in the area, in accordance with section 108(1)(a) and (3) and section 113(1) of the TA 2000 (role of metropolitan district councils), shall on and after 9th February 2009 be treated as local transport policies and plans developed and prepared by the Integrated Transport Authority in accordance with section 108(1)(a) of the TA 2000, including for the purposes of this Order.

4. Notwithstanding the coming into force of section 64 of the Act, section 155 of the TA 2000 (penalties) shall continue to apply in England without the amendments made by section 64 of the Act in respect of penalties imposed by a traffic commissioner against an operator of a local service where that traffic commissioner is satisfied that the operator had, before 9th February 2009—

- (a) failed to operate a local service registered under section 6 of the TA 1985,
- (b) operated a local service in contravention of that section or section 118(4) or 129(1)(b) of the TA 2000, or
- (c) failed to comply with section 138 or 140(3) of the TA 2000.

5.—(1) Notwithstanding the coming into force of section 71 of the Act, any application which is made before 9th February 2009 and which seeks the consent of the Secretary of State under any of the provisions of the TA 1985 listed in sub-paragraph (2), but which has not been determined by that date, is to be dealt with as if that application had been made on a date on or after 9th February 2009.

(2) The provisions are—

- (a) section 75(3) (subscription for, or acquisition or disposal of, certain shares, securities or other property or assets etc);
- (b) section 79(3) (making or guaranteeing of certain loans);
- (c) section 79(7) (guarantees etc in connection with disposals of certain shares, securities or other property or assets etc); and
- (d) section 79(8) (provision of financial assistance by way of grants, loans, etc).

6. Notwithstanding the coming into force of sections 110 and 111 of the Act, sections 169 and 170 of the TA 2000 (charging schemes) shall continue to apply without the amendments made by sections 110 and 111 in respect of any charging scheme under Part 3 of the TA 2000 which was submitted to the Secretary of State in accordance with section 169 of that Act before 9th February 2009.

SCHEDULE 3

Article 3

PROVISIONS COMING INTO FORCE ON 4TH MARCH 2009

Section 3(1), in so far as it inserts new sections 4A, 4C and 4D into the PPVA 1981⁽⁸⁾.

Section 3(2) to (4).

⁽⁸⁾ The Public Passenger Vehicles Act 1981, as defined in section 132 of the Act.

SCHEDULE 4

Article 4(1)

PART 1

PROVISIONS COMING INTO FORCE ON 6TH APRIL 2009

Section 48, in so far as it is not already in force.

Sections 53 and 54, in so far as they are not already in force.

Sections 57 to 61, in so far as they are not already in force.

Section 72.

Section 131, in so far as it relates to the entries in Part 3 of Schedule 7 for sections 22(1) and 23(2)(a) of the TA 1985, and accordingly those repeals.

PART 2

TRANSITIONAL PROVISION IN RELATION
TO COMMENCEMENT OF SECTION 59(2)

1.—(1) Notwithstanding the coming into force of section 59(2) of the Act (relaxation of rules on size of vehicle), any community bus permit granted before 6th April 2009 is to be valid only for the provision of a community bus service by means of a vehicle adapted to carry more than eight but not more than sixteen passengers.

(2) For the purposes of this Part the terms “community bus service” and “community bus permit” have the meanings given in section 22(1) of the TA 1985.

SCHEDULE 5

Article 4(2)

PROVISIONS COMING INTO FORCE ON 6TH APRIL 2009 AS RESPECTS ENGLAND

Sections 13 to 18, in so far as they are not already in force.

Section 131, in so far as it relates to the entry in Part 2 of Schedule 7 for section 116(2) of the TA 2000, and accordingly that repeal.