



# Transport Act 1985

## CHAPTER 67

### TRANSPORT ACT 1985

#### PART I

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- 1 Abolition of road service licensing

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- 13 Provisions supplementary to sections 10 to 12
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71 Exemption for councils running small bus undertakings

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117 Reconstitution of the Transport Tribunal

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140 Short title, commencement and extent

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SCHEDULES

SCHEDULE 1 — Amendments Consequential on the Abolition of Road Service Licensing

*The Transport Act 1968*

- 1 In section 159(1) of the Transport Act 1968 (interpretation)—

*The Local Government (Miscellaneous Provisions) Act 1976*

- 2 In section 63(3)(b) of the Local Government (Miscellaneous Provisions) Act...

*The Energy Act 1976*

- 3 (1) Paragraph 1 of Schedule 1 to the Energy Act...

*The Public Passenger Vehicles Act 1981*

- 4 In section 12 of the 1981 Act (PSV operator's licence),...  
5 In section 22(1) of that Act (prohibition on driving a...  
6 In section 46 of that Act (fare-paying passengers on school...  
7 In section 52(1)(a)(i) of that Act (fees for grant of...  
8 In section 53(1) of that Act (payment of expenses), for...  
9 In sections 57 and 58 of that Act (death, etc....  
10 In section 59 of that Act (power to make regulations...  
11 In section 68(4)(a) of that Act (provisions to which a...

- 12 Section 81(2) of that Act (definition for purposes of that...  
13 In section 82(1) of that Act (definitions of expressions used...  
14 In section 83 of that Act (construction of references in...

*The Road Traffic Regulation Act 1984*

- 15 (1) The Road Traffic Regulation Act 1984 shall be amended...  
16 (1) Subject to any provision made by or under this...

SCHEDULE 2 — Amendments Consequential on Section 3  
PART I — SCHEDULE SUBSTITUTED FOR SCHEDULE 2 TO THE 1981 ACT  
PART II — FURTHER CONSEQUENTIAL AMENDMENTS

*The Transport Act 1968*

- 1 (1) The Transport Act 1968 shall be amended as follows....

*The Tribunals and Inquiries Act 1971*

- 2 (1) The Tribunals and Inquiries Act 1971 shall be amended...

*The Road Traffic Act 1972*

- 3 (1) In section 113(1) of the Road Traffic Act 1972...

*The Public Passenger Vehicles Act 1981*

- 4 (1) The Public Passenger Vehicles Act 1981 shall be amended...

*The Civic Government (Scotland) Act 1982*

- 5 In section 18 of the Civic Government (Scotland) Act 1982,...

*The Road Traffic Regulation Act 1984*

- 6 In section 38(4) and (7) of and paragraph 31(a) of...

*The London Regional Transport Act 1984*

- 7 In Schedule 5 to the London Regional Transport Act 1984,...

SCHEDULE 3 — Amendments Consequential on Section 57

*The Transport Act 1968*

- 1 The following provisions of the 1968 Act shall be omitted—...  
2 In— (a) sections 10, 12, 14, 15, 20 and 23 of...  
3 In section 9(6) of that Act, the words " or...  
4 In section 10 of that Act (general powers of Executive)—...  
5 In section 11 of that Act (Executive's financial duty), as...  
6 In section 12 of that Act (borrowing powers of Executive)—...  
7 For section 13 of that Act (precepting powers), as it...  
8 In section 14(3) of that Act (accounts of Executive), as...  
9 In section 14(3) of that Act, as it applies to...  
10 (1) In section 15 of that Act (further functions of...  
11 In section 15A of that Act (control of Executive by...  
12 In section 16 of that Act (publication of annual report...

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- 13 In section 20 of that Act (special duty of Executive...
- 14 In section 22 of that Act (provisions as to orders...
- 15 In section 24(2) of that Act (co-operation between Passenger Transport...
- 16 In section 54 of that Act (provisions with respect to...
- 17 In section 134(1) of that Act (authorities to whom duty...
- 18 In section 137 of that Act (obligation to establish machinery...
- 19 In section 141(1) of that Act (application of Town and...
- 20 In section 160(5) of that Act (stamp duty not chargeable...
- 21 (1) In Schedule 5 to that Act (constitution, etc., of...

*The Post Office Act 1969*

- 22 In section 7(1A)(b) (bodies for whom the Post Office may...

*The Pensions (Increase) Act 1971*

- 23 In paragraph 6(2)(c) of Schedule 3 to the Pensions (Increase)...

*The Local Government Act 1972*

- 24 In section 202 of the 1972 Act (public transport in...
- 25 In Schedule 24 to that Act, Part II shall be...

*The Local Government (Scotland) Act 1973*

- 26 In section 150 of the Local Government (Scotland) Act 1973,...
- 27 Section 151 of that Act shall be omitted.
- 28 In Schedule 18 to that Act, paragraphs 1(a) to (d)...

*The Local Government, Planning and Land Act 1980*

- 29 In section 82 of the Local Government, Planning and Land...

*The Transport Act 1983*

- 30 In section 1 of the Transport Act 1983 (interpretation of...
- 31 In section 3(3) of that Act (formulation of Executive's financial...
- 32 In section 9 of that Act (repeals and minor amendments),...

*The Road Traffic Regulation Act 1984*

- 33 In paragraph 31(6) of Schedule 9 to the Road Traffic...

SCHEDULE 4 — Constitution, Powers and Proceedings of the Transport Tribunal

*Constitution*

- 1 The Transport Tribunal shall be a court of record and...
- 2 (1) The tribunal shall consist of— (a) a president and...

*Tenure of Office*

- 3 (1) Subject to the following provisions of this paragraph, each...
- 4 (1) A member of the tribunal appointed by the Secretary...



*Staff of the tribunal*

- 5 The Secretary of State may make available to the tribunal...

*Remuneration and expenses*

- 6 There shall be paid to the members of the tribunal...  
7 Any remuneration payable under paragraph 6 above and any other...

*Powers and proceedings*

- 8 (1) Subject to paragraph 9(2) below, the tribunal shall for...  
9 (1) On an appeal from any determination of a traffic...  
10 (1) The president or, in his absence, such one of...  
11 (1) Subject to paragraph 10 above, the Secretary of State...  
12 (1) The Secretary of State shall give to the tribunal...  
13 (1) Subject to sub-paragraph (2) below and to any rules...

*Appeals*

- 14 (1) Subject to sub-paragraphs (2) and (3) below, an appeal...

*Exercise of powers by Lord Chancellor*

- 15 The Lord Chancellor shall consult the Lord Advocate before exercising...

*Annual report*

- 16 The tribunal shall make annually a report of all their...

SCHEDULE 5 — The Disabled Persons Transport Advisory Committee

*Administration, etc.*

- 1 The Secretary of State shall make arrangements for the Committee...  
2 The Secretary of State shall provide the Committee with funds...

*Constitution and procedure*

- 3 (1) Any person appointed to be a member of the...  
4 (1) The Committee shall meet whenever convened by the chairman...  
5 The Committee may delegate the exercise and performance of any...  
6 The validity of any proceedings of the Committee shall not...

SCHEDULE 6 — Transitional Provisions and Savings

*Road service licensing during transitional period*

- 1 (1) In this paragraph "the transitional period" means the period...  
2 (1) In paragraphs (a) and (b) of section 31(2) for...  
3 (1) In section 32 (attachment to licences of conditions as...  
4 In section 34 (grant of road service licences for services...  
5 In section 50(8) (persons who, in addition to applicant, have...

*Registration of local services outside London*

- 6 (1) In paragraphs 7 to 12 below— " local service...

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7 (1) Where an application for registration of the prescribed particulars...

*Variation and cancellation of registrations during transitional period*

8 (1) Where the prescribed particulars of a local service have...

*Duty to notify relevant authorities of applications for registrations etc.*

9 (1) Any person making an application which falls within one...

*Publication of information by traffic commissioner*

10 (1) Each traffic commissioner shall publish such information with respect...

*School buses*

11 (1) For the purpose of ensuring that in the school...

*Continuation of existing road service licences*

12 A road service licence (other than one for a service...

*Traffic commissioners*

13 (1) The person who, immediately before the commencement of section...

*PSV operators' licences*

14 (1) This paragraph applies where the condition attached under section...

*Appeals under section 18 of Civic Government (Scotland) Act 1982 (c.45)*

15 Anything done or treated by virtue of any enactment as...

*London local service licences*

16 (1) A road service licence which— (a) is in force...

17 In relation to a London local service—

18 In so far as any regulations in force immediately before...

*Compensation for loss of employment, etc.*

19 Any regulations made under section 17(3) of the 1968 Act...

*Tendering*

20 (1) Section 89 of this Act shall not apply in...

*Agreements under section 3 of the Transport Act 1978*

21 (1) Where— (a) before the date on which the repeal...

*Travel concessions*

22 (1) A scheme established under section 93 of this Act...

23 (1) Notwithstanding the repeal by this Act of the Travel...

24 During any period after section 104 of this Act comes...

*The Transport Tribunal*

25 (1) The repeals made by this Act which relate to...

*Transfers under section 17 of the 1968 Act*

26 Notwithstanding the repeal by this Act of—

SCHEDULE 7 — Minor and Consequential Amendments

*General*

1 In England and Wales, the provisions made by or under...

*The London Hackney Carriages Act 1843*

2 In section 25 of the London Hackney Carriages Act 1843...

*The Town Police Clauses Act 1847*

3 Section 46 of the Town Police Clauses Act 1847 (drivers...

*The Road Traffic Act 1930*

4 In section 101 of the Road Traffic Act 1930 (power...

*The Transport Charges &c. [Miscellaneous Provisions] Act 1954*

5 Section 1 of the Transport Charges &c. (Miscellaneous Provisions) Act...

*The Transport Act 1962*

6 In section 3(3) of the 1962 Act (powers of the...

*The Transport Act 1968*

7 In section 10(1)(xiii) of the 1968 Act (power of Passenger...

8 In section 15(2)(b) of that Act (approval of Passenger Transport...

9 In section 16(2) of that Act (annual report of Authorities...

10 In section 34 of that Act (assistance for rural bus...

11 In section 34 of that Act (assistance for rural bus...

12 In section 56 of that Act (assistance towards capital expenditure...

*The Post Office Act 1969*

13 Section 7 of the Post Office Act 1969 (Post Office...

*The Local Authority Social Services Act 1970*

14 At the end of section 5(6) of the Local Authority...

*The Tribunals and Inquiries Act 1971*

15 In Part I of Schedule 1 to the Tribunals and...

*The Local Government (Scotland) Act 1973*

16 In Schedule 18 to the Local Government (Scotland) Act 1973,...

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*The Local Government (Miscellaneous Provisions) Act 1976*

- 17 (1) In section 46(1)(a) of the Local Government (Miscellaneous Provisions)...

*The Licensing (Scotland) Act 1976*

- 18 In section 92 of the Licensing (Scotland) Act 1976 (restriction...

*The Concessionary Travel for Handicapped Persons (Scotland) Act 1980*

- 19 (1) In section 1 of the Concessionary Travel for Handicapped...

*The Transport Act 1980*

- 20 In section 64(3) of the Transport Act 1980 (definition of...

*The Public Passenger Vehicles Act 1981*

- 21 (1) The Public Passenger Vehicles Act 1981 shall be amended...

*The Local Government Finance Act 1982*

- 22 (1) In section 31 of the Local Government Finance Act...

*The Civic Government (Scotland) Act 1982*

- 23 (1) The Civic Government (Scotland) Act 1982 shall be amended...

*The London Regional Transport Act 1984*

- 24 In section 35(1) of the London Regional Transport Act 1984...  
25 In section 55(3) of that Act (definitions of expressions used...  
26 In section 68 of that Act (interpretation), the definitions of...  
27 In Schedule 5 to that Act (transitional provisions and savings)---

SCHEDULE 8 — Repeals