



Local Transport Act 2008

2008 CHAPTER 26

PART 1

THE TRAFFIC COMMISSIONERS

5 Transitional provision for existing traffic commissioners etc

- (1) Any existing traffic commissioner for a traffic area in England and Wales—
 - (a) on the relevant commencement, becomes instead a traffic commissioner for England and Wales with all the powers and duties of such a commissioner,
 - (b) holds that office on the terms and conditions that applied to the commissioner immediately before the relevant commencement,
 - (c) is subject to paragraph 1 of Schedule 2 to the PPVA 1981 (grounds for dismissal), as amended by section 4, as from the coming into force of that amendment.
- (2) Any appointment of a person as a deputy traffic commissioner for a traffic area in England and Wales before the relevant commencement—
 - (a) continues in force notwithstanding the substitution of subsections (1) and (2) of section 4 of the PPVA 1981 effected by section 2,
 - (b) has effect as from the relevant commencement as an appointment under paragraph 2A of Schedule 2 to that Act as a deputy traffic commissioner for England and Wales with all the powers and duties of such a commissioner,
 - (c) as from the relevant commencement is held on the terms and conditions that applied to the deputy traffic commissioner immediately before the relevant commencement.
- (3) Any appointment of a person as an acting traffic commissioner for a traffic area in England and Wales before the relevant commencement—
 - (a) continues in force notwithstanding the substitution of subsections (1) and (2) of section 4 of the PPVA 1981 effected by section 2,

Changes to legislation: Local Transport Act 2008, Section 5 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) has effect as from the relevant commencement as an appointment under paragraph 5A of Schedule 2 to that Act to act as a traffic commissioner for England and Wales with all the powers and duties of such a commissioner,
 - (c) as from the relevant commencement is held on the terms and conditions that applied to the acting traffic commissioner immediately before the relevant commencement.
- (4) Any existing traffic commissioner for the Scottish Traffic Area—
- (a) on the relevant commencement, becomes instead the Scottish traffic commissioner with all the powers and duties of that commissioner,
 - (b) holds that office on the terms and conditions that applied to the traffic commissioner immediately before the relevant commencement, and
 - (c) is subject to paragraph 1 of Schedule 2 to the PPVA 1981 (grounds for dismissal), as amended by section 4, as from the coming into force of that amendment.
- (5) In this section—
- “acting traffic commissioner” means a person appointed under paragraph 6 of Schedule 2 to the PPVA 1981 to act as a traffic commissioner for a traffic area;
 - “deputy traffic commissioner” means a person appointed under paragraph 3 or 4 of Schedule 2 to the PPVA 1981 to act as deputy to a traffic commissioner for a traffic area;
 - “existing traffic commissioner” means a person—
 - (a) who is a traffic commissioner for a traffic area immediately before the relevant commencement, and
 - (b) who would, apart from the amendments made by this Act, have continued as such after the relevant commencement;
 - “the relevant commencement” means—
 - (a) in relation to an existing traffic commissioner, the coming into force of the substitution of subsections (1) and (2) of section 4 of the PPVA 1981 effected by section 2;
 - (b) in relation to a deputy traffic commissioner for a traffic area in England and Wales, the coming into force of paragraph 2A of Schedule 2 to the PPVA 1981 (which is inserted by section 4);
 - (c) in relation to an acting traffic commissioner for a traffic area in England and Wales, the coming into force of paragraph 5A of Schedule 2 to the PPVA 1981 (which is inserted by section 4).

Commencement Information

II S. 5 in force at 3.7.2013 by [S.I. 2013/685](#), [art. 3\(1\)\(2\)\(d\)](#)

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Commencement Orders yet to be applied to the Local Transport Act 2008

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/579 art. 2](#) commences (2008 c. 26)
- [S.I. 2009/3294 art. 2](#) commences (2008 c. 26)