
STATUTORY INSTRUMENTS

1994 No. 3188 (C. 76)

**DEREGULATION
ROAD TRAFFIC
PUBLIC PASSENGER TRANSPORT**

The Deregulation and Contracting Out Act
1994 (Commencement No. 2) Order 1994

Made - - - - 9th December 1994

The Secretary of State, in exercise of the powers conferred on him by section 82(4) of the Deregulation and Contracting Out Act 1994⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Deregulation and Contracting Out Act 1994 (Commencement No. 2) Order 1994.

2. The provisions of the Deregulation and Contracting Out Act 1994 (“the Act”) specified in article 3 below shall come into force on 3rd January 1995.

3. The provisions referred to in article 2 above are—

- (a) section 8 (Newspaper mergers: meaning of “newspaper proprietor” etc.)
- (b) section 11 (Restrictive trade practices: registration of commercially sensitive information)
- (c) section 19 (Bars in licensed premises in England and Wales: children’s certificates)
- (d) section 35 (Employment Agencies etc.: replacement of licensing)
- (e) section 36(1) (Unfair dismissal: selection for redundancy)
- (f) section 39 so far as relating to the Licensing Act 1964⁽²⁾ and to section 77 of the Fair Trading Act 1973⁽³⁾
- (g) section 51 (Assessors)
- (h) section 58 (The 1981 Act)
- (j) section 62 (Suspension of licences)
- (k) section 64 (Repeal of section 27 of the 1981 Act)

(1) 1994 c. 40.
(2) 1964 c. 26.
(3) 1973 c. 41.

- (l) section 67 (Disqualification of PSV operators)
- (m) section 68 (Chapter IV: minor and consequential amendments) so far as relating to the entries referred to in paragraph (r) below
- (n) section 81 (repeals) so far as relating to the entries referred to in paragraph (s) below
- (o) Schedule 7 (Children’s Certificates: Supplementary Provisions)
- (p) Schedule 10 (Employment Agencies etc.: Replacement of Licensing)
- (q) in Schedule 11 (Miscellaneous Deregulatory Provisions: Consequential Amendments) paragraph 1 and paragraph 2 so far as relating to section 77 of the Fair Trading Act 1973
- (r) in Schedule 14 (PSV Operator Licensing etc: Minor and Consequential amendments) paragraph 1 so far as relating to the following paragraphs and paragraphs 3 and 5(2)(b)
- (s) in Schedule 17 (Repeals) the entries in respect of
 - (i) The Merchant Shipping Act 1894**(4)**
 - (ii) The Licensing Act 1964
 - (iii) The Employment Agencies Act 1973**(5)**
 - (iv) The House of Commons Disqualification Act 1975**(6)**
 - (v) The Employment Protection Act 1975**(7)**
 - (vi) The Employment Protection (Consolidation) Act 1978**(8)**
 - (vii) The Merchant Shipping Act 1979**(9)**
 - (viii) The Public Passenger Vehicles Act 1981**(10)** so far as relating to sections 14A(3), 17(2)(b) and 27 of that Act
 - (ix) The Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981**(11)**
 - (x) The Income and Corporation Taxes Act 1988**(12)**

4. Section 60 of the Act shall come into force on 1st April 1995.

5. The transitional provisions set out in Article 6(1) and (2) below shall have effect in connection with the coming into force of section 36(1) and section 60 of the Act respectively.

6.—(1) The omission of paragraph (b) from section 59(1) of the Employment Protection (Consolidation) Act 1978 (“the 1978 Act”) effected by section 36(1) of the Act shall have effect in relation to any dismissal where the effective date of termination (as defined by section 55(4) of the 1978 Act) falls on or after 3 January 1995, other than a dismissal in respect of which notice was required to be given before that date (whether or not it was so given) in order to terminate the contract of employment on the effective date of termination by notice duly given in compliance with the contract of employment of the employee or with section 49 of the 1978 Act.

(2) The insertion of subsection (2A) in section 14A of the Public Passenger Vehicles Act 1981 effected by section 60 of the Act shall have effect in relation to any application for a PSV operators' licence made on or after 1st April 1995.

(4) 57 and 58 Vict. c.60.

(5) 1973 c. 35.

(6) 1975 c. 24.

(7) 1975 c. 71.

(8) 1978 c. 44.

(9) 1979 c. 39.

(10) 1981 c. 14.

(11) S.I. 1981/839 (N.I. 20).

(12) 1988 c. 1.

9th December 1994

Jonathan Evans
Parliamentary Under Secretary of State,
Department of Trade and Industry

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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 3rd January 1995 provisions of the Deregulation and Contracting Out Act 1994 relating to newspaper mergers; Restrictive Trade Practices: registration of commercially sensitive information; Bars in licensed premises in England and Wales: Children’s Certificates; Employment Agencies etc.: Replacement of licensing; Unfair Dismissal: selection for redundancy; and certain provisions relating to goods and public service vehicle (“PSV”) operator licensing etc.; together with associated repeals. It brings into force on 1st April provision relating to objections to applications for PSV licences. It makes transitional provision in connection with the coming into force of sections 36(1) (Unfair dismissal: selection for redundancy) and 60 (Objections to applications for PSV licences).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Deregulation and Contracting Out Act 1994 were brought into force by the Deregulation and Contracting Out Act 1994 (Commencement No. 1) Order 1994(13).

sections 22-24

section 81 (part)

Schedule 17 (part)