

## SCHEDULE 3

Article 4

## Amendments extending to England and Wales — Primary Legislation

**The Road Traffic Regulation Act 1984(1)**

<i>Provision</i>	<i>Amendment</i>
section 38(2) (parking place to be used as bus or coach station),	In subsection (4), for “the appropriate traffic commissioner”, substitute “a traffic commissioner”.  In subsection (7) omit paragraph (a).
Schedule 9, Part 5(3) (consultation with traffic commissioners).	In paragraph 31, for sub-paragraph (a), substitute— “(a) shall consult the senior traffic commissioner appointed under section 4A of the Public Passenger Vehicles Act 1981(4), and”.

**The Transport Act 1985(5)**

<i>Provision</i>	<i>Amendment</i>
section 6(6) (registration of local services),	In subsection (2)(a), for “the traffic commissioner for that area”, substitute “a traffic commissioner”.  In subsection (8)(a) and (b), for “the traffic commissioner”, substitute “a traffic commissioner”.  In subsection (9)— (a) in paragraph (c)(i), for “the traffic commissioner” substitute “a traffic commissioner”; (b) in paragraph (c)(ii), for “he” substitute “a traffic commissioner”; (c) in paragraph (e)— (i) for “the traffic commissioner to whom it is made” substitute “a traffic commissioner”, (ii) for “the commissioner” substitute “a traffic commissioner”, and (iii) for “as he may reasonably” substitute “as a traffic commissioner may reasonably”; (d) omit paragraph (f); and (e) in paragraph (j), for “the traffic commissioner” substitute “a traffic commissioner”.

- (1) [1984 c.27](#).
- (2) Section 38 was amended by the Transport Act 1985 ([c.67](#)), section 3 and Schedule 2, Part 2, paragraph 6. There are other amendments to section 38 which are not relevant to this Order.
- (3) Paragraph 31(a) was amended by the Transport Act 1985, section 3(5) and Schedule 2, Part 2, paragraph 6. There are other amendments to paragraph 31 which are not relevant to this Order.
- (4) [1981 c.14](#); section 4A was inserted by the Local Transport Act 2008 ([c.26](#)), section 3(1).
- (5) [1985 c.67](#).
- (6) Subsection (8) was amended, in relation to England and Wales, by the Local Transport Act 2008, section 49(1) and (4). Subsection (9) was amended, in relation to England and Wales, by the Local Transport Act 2008, section 65(2) and (3). There are other amendments to section 6 which are not relevant to this Order. Section 6(2) and (8) are modified in certain cases by the Public Service Vehicles (Registration of Local Services) Regulations 1986, [S.I. 1986/1671](#), regulation 7(1) (see the relevant entry in Schedule 4 to this Order).

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<i>Provision</i>	<i>Amendment</i>
section 6A(7) (applications for registration etc. where restrictions are in force),	<p>In subsection (1)—</p> <p>(a) in paragraph (b), omit the words “to a traffic commissioner”; and</p> <p>(b) in paragraph (c), for “the traffic commissioner” substitute “a traffic commissioner”.</p> <p>In subsection (12)—</p> <p>(a) in paragraph (b) of the definition of “relevant application”, for “the traffic commissioner” substitute “a traffic commissioner”; and</p> <p>(b) insert the following definition at the appropriate place— ““the traffic commissioner” means the traffic commissioner dealing with the application mentioned in subsection (1).”</p>
section 6B(8) (applications for registration where quality contracts scheme in force),	<p>In subsection (8), insert the following definition at the appropriate place— ““the traffic commissioner” means the traffic commissioner dealing with the application.”</p>
section 7(9) (application of traffic regulation conditions to local services subject to registration under section 6),	<p>In subsection (1)—</p> <p>(a) for “him”, substitute “a traffic commissioner”; and</p> <p>(b) for “the traffic commissioner for any traffic area”, substitute “he or any other traffic commissioner”.</p> <p>In subsection (3), for the words from “the traffic area” to “them”, substitute “a traffic area”.</p> <p>In subsection (8)—</p> <p>(a) for “the traffic commissioner for any traffic area”, substitute “a traffic commissioner”; and</p> <p>(b) for “his traffic area”, substitute “a traffic area”.</p> <p>In subsection (9), for the words from “he has received” to “for an inquiry”, substitute “a request for an inquiry has been received by a traffic commissioner (within the prescribed period)”.</p> <p>In subsection (11)—</p> <p>(a) for “he”, substitute “he or another traffic commissioner”; and</p> <p>(b) for the words from “if any person” to “asked him to do so”, substitute “if a request for a traffic commissioner to do so is made to a traffic commissioner, before the end of the prescribed period, by any person mentioned in subsection (9) (a) or (c) above or any other traffic authority affected by the conditions”.</p> <p>In subsection (12), for “the traffic commissioner”, substitute “a traffic commissioner”.</p> <p>In subsection (14)—</p>

(7) Section 6A was inserted, in relation to England and Wales, by the Local Transport Act 2008 (c.26), section 48(1) and (3). There are amendments to section 6A which are not relevant to this Order.

(8) Section 6B was inserted, in relation to England and Wales, by the Local Transport Act 2008, section 49(5).

(9) Section 7(1) was amended by the Local Transport Act 2008, section 50(1) and (2). There are other amendments to section 7 which are not relevant to this Order.

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<i>Provision</i>	<i>Amendment</i>
	<p>(a) for “determined by him”, substitute “(whether determined by him or another traffic commissioner)”; and</p> <p>(b) for “on being requested to do so”, substitute “if a request for a traffic commissioner to do so is made to a traffic commissioner”.</p>
section 8 (enforcement of traffic regulation conditions, etc.),	<p>In subsection (1), for the words from “the traffic commissioner” to “granted”, substitute “a traffic commissioner”.</p> <p>Omit subsection (3).</p> <p>In subsection (4), for the words from “it shall be” to “concerned to”, substitute “a traffic commissioner must”.</p>
section 9 (appeals against traffic regulation conditions)(10),	<p>In subsection (6), for paragraph (d), substitute—</p> <p>“(d) a traffic commissioner.”</p>
section 26(11) (conditions attached to PSV operator’s licence),	<p>In subsection (1A)—</p> <p>(a) for “The traffic commissioner”, substitute “A traffic commissioner”; and</p> <p>(b) omit the words “, or direct a traffic commissioner for another traffic area to attach,”.</p> <p>In subsection (2) omit the words “(or direct another commissioner to attach)”.</p> <p>Omit subsection (2A).</p> <p>In subsection (5A)—</p> <p>(a) for “The traffic commissioner”, substitute “A traffic commissioner”; and</p> <p>(b) omit “, or direct a traffic commissioner for another traffic area to attach,”.</p> <p>Omit subsection (5C).</p>
section 27A(12) (additional powers where service not operated as registered),	<p>In subsection (2), for “him”, substitute “him or another traffic commissioner”.</p> <p>After subsection (7) insert—</p> <p>“(7A) In this section “the traffic commissioner” means the traffic commissioner dealing with the matter.”</p>
section 81(13) (provision, maintenance and operation of bus stations).	<p>In subsection (6), for the words from “the traffic commissioner”, in the first place where those words occur, to “the Secretary of State”, substitute “a traffic commissioner”.</p> <p>In subsection (7), for “the traffic commissioner”, substitute “a traffic commissioner”.</p>

(10) Subsection (6) was amended in relation to England and Wales by the Local Transport Act 2008 (c.26), section 51(1) and (5) (a) and (b) and by S.I. 2009/1885, article 4(1) and Schedule 1, paragraphs 5 and 7(c). There are other amendments to section 9 which are not relevant to this Order.

(11) Subsections (1A), (2A), (5A) and (5C) were inserted by the Local Transport Act 2008, section 62. There are other amendments to section 26 which are not relevant to this Order.

(12) Section 27A was inserted, in relation to England and Wales, by the Local Transport Act 2008, section 63(1). There is an amendment to subsection (7) which is not relevant to this Order.

(13) Section 81(6) was amended by the Local Government (Wales) Act 1994 (c.19), section 22(1) and Schedule 7, paragraph 39(7). There are other amendments to section 81 which are not relevant to this Order.

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### The Greater London Authority Act 1999(14)

<i>Provision</i>	<i>Amendment</i>
section 191 (consultation),	In subsection (2), for paragraphs (d) and (e), substitute— “(d) a traffic commissioner;”.
section 194 (application of the Public Passenger Vehicles Act 1981(15)),	In subsection (2)(a), for “the traffic commissioner by whom the licence was granted”, substitute “a traffic commissioner”.
section 195 (interpretation of Chapter 5).	Omit the definition of “traffic commissioner for the Metropolitan Traffic area”.

### The Transport Act 2000(16)

<i>Provision</i>	<i>Amendment</i>
section 114(17) (quality partnership schemes),	In subsection (3C), for “the traffic commissioners are”, substitute “a traffic commissioner is”.
section 115(18) (notice and consultation requirements),	In subsection (3), for paragraph (d), substitute— “(d) a traffic commissioner;”.
section 116(19) (making of scheme),	In subsection (6)— (a) omit the word “and” immediately preceding paragraph (b); and (b) in paragraph (b), for the words from “and the traffic commissioner” to “relates”, substitute— “, and (c) to a traffic commissioner”.
section 117(20) (postponement of scheme or of provision of particular facilities or standards of service),	In subsection (3)— (a) omit the word “and” immediately preceding paragraph (b); and (b) in paragraph (b), for the words from “and the traffic commissioner” to “relates”, substitute— “, and (c) to a traffic commissioner”.
section 118(21) (effect of scheme),	In subsection (4)(a), for the words from “the traffic commissioner” to “relates”, substitute “a traffic commissioner”.
section 122(22) (regulations about schemes),	In subsection (1)(d), for “the traffic commissioner”, substitute “a traffic commissioner”.

(14) 1999 c.29.

(15) 1981 c.14.

(16) 2000 c.38.

(17) Subsection (3C) was inserted by the Local Transport Act 2008 (c.26), section 13(1) and (4). There are other amendments to section 114 which are not relevant to this Order.

(18) Section 115 was amended by the Local Transport Act 2008, section 14.

(19) To which there are amendments which are not relevant to this Order.

(20) To which there are amendments which are not relevant to this Order.

(21) Section 118 was amended by the Local Transport Act 2008 (c.26), section 17.

(22) To which there are amendments which are not relevant to this Order.

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- section 125(23) (notice and consultation requirements), In subsection (3)(e), for the words from “the traffic commissioner” to “relates”, substitute “a traffic commissioner”.
- In subsection (3)(f), for “that area”, substitute “the area to which the proposed scheme relates”.
- section 127(24) (making of scheme), In subsection (8)(b), for the words from “the traffic commissioner” to “that area”, substitute “a traffic commissioner”.
- section 128(25) (postponement of scheme), In subsection (3)—
- (a) omit the word “and” immediately preceding paragraph (b); and
- (b) in paragraph (b), for the words from “and the traffic commissioner” to “relates”, substitute—
- “, and
- (c) to a traffic commissioner”.
- section 130(26) (tendering for quality contracts), In subsection (7), for the words from “the traffic commissioner” to “relates”, substitute “a traffic commissioner”.
- section 131A(27) (continuation of schemes for further periods), In subsection (4)(b), for “traffic commissioners for areas to which scheme relates”, substitute “a traffic commissioner”.
- section 132(28) (variation or revocation of scheme), In subsection (6)—
- (a) in paragraphs (a) and (b), for “each relevant traffic commissioner”, substitute “a traffic commissioner”; and
- (b) omit the second sentence.
- In subsection (8)(c), for the words from “any traffic commissioner” to “Wales,”), substitute “a traffic commissioner”.
- section 132D(29) (period for which interim service may be provided), In subsection (5)(b), for “the traffic commissioner”, substitute “a traffic commissioner”.
- In subsection (6), for “The traffic commissioner”, substitute “A traffic commissioner”.
- For subsection (7), substitute—
- “(7) Any application to a traffic commissioner under paragraph (b) of subsection (5) must be made at least one month before the date mentioned in paragraph (a) of that subsection.”
- section 136 (notice and consultation requirements), In subsection (3), for paragraph (c), substitute—
- “(c) a traffic commissioner.”
- section 137(30) (making of scheme), In subsection (4), for paragraph (b), substitute—
- “(b) to a traffic commissioner.”

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(23) Section 125(3)(e) was amended by the Local Transport Act 2008, section 20(1) and (5). There are other amendments to section 125 which are not relevant to this Order.

(24) To which there are amendments which are not relevant to this Order.

(25) To which there are amendments which are not relevant to this Order.

(26) To which there are amendments which are not relevant to this Order.

(27) Section 131A was inserted by the Local Transport Act 2008, section 31.

(28) Section 132 was amended by the Local Transport Act 2008, section 37. There are other amendments which are not relevant to this Order.

(29) Section 132D was inserted by the Local Transport Act 2008 (c.26), section 40(1).

(30) To which there are amendments which are not relevant to this Order.

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section 139(31) In subsection (2), for paragraph (b), substitute—  
(information about bus “(b) a traffic commissioner.”  
services),

section 140 (duty of In subsection (4), for “the traffic commissioner for the traffic area  
authority to make covering their area”, substitute “a traffic commissioner”.  
information available),

section 155(32) (sanctions). In subsection (1), for “the traffic commissioner for any traffic area”,  
substitute “a traffic commissioner”.

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(31) To which there are amendments which are not relevant to this Order.

(32) The section heading was substituted and subsection (1) was amended by the Local Transport Act 2008 (c.26), section 44(3), 64(1), (2) and (11) and 65(1). There are other amendments to section 155 which are not relevant to this Order.