

Local Transport Bill:

Extracts from the Public Passenger
Vehicles Act 1981 (as proposed
to be amended)

INTRODUCTION

This document shows amendments to the Public Passenger Vehicles Act 1981 that would be made by the Local Transport Bill [HL], as amended in the House of Lords, if the Bill were to be enacted without further amendment. Where sections of, or Schedules to, the Act are shown as having been omitted, this is because they would not be substantively amended by the Bill.

The document has been prepared by the Department for Transport to assist the reader of the Bill; it has not been endorsed by Parliament, and it carries no legal force. While the Department has sought to ensure its accuracy, no liability can be accepted for any errors that remain.

**EXTRACTS FROM THE PUBLIC PASSENGER VEHICLES ACT 1981,
SHOWING HOW IT WOULD BE AMENDED BY THE LOCAL TRANSPORT BILL [HL]**

Part I

Preliminary

Definition and classification of public service vehicles

1 Definition of "public service vehicle"

(1) Subject to the provisions of this section, in this Act "public service vehicle" means a motor vehicle (other than a tramcar) which--

(a) being a vehicle adapted to carry more than eight passengers, is used for carrying passengers for hire or reward; or

(b) being a vehicle not so adapted, is used for carrying passengers for hire or reward at separate fares in the course of a business of carrying passengers.

(2) For the purposes of subsection (1) above a vehicle "is used" as mentioned in paragraph (a) or (b) of that subsection if it is being so used or if it has been used as mentioned in that paragraph and that use has not been permanently discontinued.

(3) A vehicle carrying passengers at separate fares in the course of a business of carrying passengers, but doing so in circumstances in which the conditions set out in Part I, or III of Schedule 1 to this Act are fulfilled, shall be treated as not being a public service vehicle unless it is adapted to carry more than eight passengers.

(4) For the purposes of this section a journey made by a vehicle in the course of which one or more passengers are carried at separate fares shall not be treated as made in the course of a business of carrying passengers if--

(a) the fare or aggregate of the fares paid in respect of the journey does not exceed the amount of the running costs of the vehicle for the journey; and

(b) the arrangements for the payment of fares by the passenger or passengers so carried were made before the journey began;

and for the purposes of paragraph (a) above the running costs of a vehicle for a journey shall be taken to include an appropriate amount in respect of depreciation and general wear.

(5) For the purposes of this section, and Schedule 1 to this Act--

(a) a vehicle is to be treated as carrying passengers for hire or reward if payment is made for, or for matters which include, the carrying of passengers, irrespective of the person to whom the payment is made and, in the case of a transaction effected by or on behalf of a member of any association of persons (whether incorporated or not) on the one hand and the association or another member thereof on the other hand, notwithstanding any rule of law as to such transactions;

(b) a payment for the carrying of a passenger shall be treated as a fare notwithstanding that it is made in consideration of other matters in addition to the journey and irrespective of the person by or to whom it is made;

(c) a payment shall be treated as made for the carrying of a passenger if made in consideration of a person's being given a right to be carried, whether for one or more journeys and whether or not the right is exercised.

(6) Where a fare is paid for the carriage of a passenger on a journey by air, no part of that fare shall be treated for the purposes of subsection (5) above as paid in consideration of the carriage of the passenger by road by reason of the fact that, in case of mechanical failure, bad weather or other circumstances outside the operator's control, part of that journey may be made by road.

2 <REPEALED BY TRANSPORT ACT 1985>

Traffic areas and Traffic commissioners

3 Traffic areas <amended by clause 1>

(1) For the purposes of this Act Great Britain shall be divided into the Metropolitan, Northern, Yorkshire, North-Western, West Midland, East Midland, Eastern, South Wales, Western, South-Eastern and Scottish Traffic Areas.

(2) The Secretary of State may from time to time by order vary the provisions of this Act constituting traffic areas, either by altering the limits of an existing traffic area or by increasing or reducing the number of traffic areas or otherwise as he may think fit.

(2A) The power to make an order under subsection (2) above includes power to make--

- (a) such incidental, consequential, supplemental, or transitional provision, and**
- (b) such savings,**

as the Secretary of State may consider necessary or expedient for the purpose of, or in consequence of, or for giving full effect to, any order under that subsection for varying the number or limits of traffic areas in England and Wales.

(2B) The power conferred by subsection (2A) above includes power to amend or modify any enactment (whenever passed or made) for the purpose of making any such provision or savings.

(2C) The powers conferred by subsections (2A) and (2B) above are without prejudice to what may be done under subsection (3) below.

(3) An order under this section for varying the number or limits of traffic areas may contain such consequential and incidental provisions, including provisions--

- (a) as to the effect of licences previously issued, and consents previously given, by the traffic commissioner for any traffic area abolished or otherwise affected;
- (b) as to the effect of applications for licences or consents previously made to any traffic commissioner, as to the traffic commissioner to whom applications relating to any such area may be made between the date of the order and the date as from which the abolition of, or other change in, the area is to have effect, and as to the traffic commissioner by whom and the places at which any such application may be heard, either before or after the last mentioned date;
- (c) as to the continuance of appeals pending against decisions of the traffic commissioner for any traffic area abolished or otherwise affected; and
- (d) as to the recovery of any sums due, at the date as from which a traffic area is abolished, to the traffic commissioner for that area,

as appear to the Secretary of State to be necessary or expedient in consequence of the variations of areas to be affected by the order.

(4) The power to make orders conferred by this section shall be exercisable by statutory instrument which shall be laid before Parliament after being made, and an order under this section shall not have effect unless and until it has been approved by a resolution of each House of Parliament.

4 Traffic commissioners *<amended by clause 2>*

~~(1) There shall be a commissioner for each traffic area constituted for the purposes of this Act.~~

~~(2) The commissioner for each traffic area shall be appointed by the Secretary of State and shall be known as the traffic commissioner for the area.~~

(1) For the purposes of this Act there shall be--

(a) such number of commissioners for England and Wales as the Secretary of State may consider appropriate, and

(b) a single commissioner for the Scottish Traffic Area (the "Scottish traffic commissioner").

(2) The commissioners shall be appointed by the Secretary of State and shall be known as traffic commissioners.

~~(3) The traffic commissioner for a traffic area~~ **A traffic commissioner** shall be responsible for issuing licences under this Act and shall have such other functions as are given to him by, or in pursuance of, this Act or any other enactment.

(3A) A traffic commissioner for England and Wales--

(a) may exercise the functions of a traffic commissioner in any traffic area in England and Wales; and

(b) may exercise in relation to the Scottish Traffic Area any functions of a traffic commissioner that relate to reserved matters within the meaning of the Scotland Act 1998.

(3B) The Scottish traffic commissioner--

(a) is to exercise the functions of a traffic commissioner in relation to the Scottish Traffic Area; and

(b) may exercise in relation to any traffic area in England and Wales any functions of a traffic commissioner that relate to reserved matters within the meaning of the Scotland Act 1998.

~~(4) Any person appointed to be a traffic commissioner~~ **the traffic commissioner for a traffic area** shall--

(a) act under the general directions of, and shall have regard to any guidance given by, the senior traffic commissioner ~~the general directions of the Secretary of State~~; and

(b) vacate his office on attaining the age of sixty-five, or on such later date before he attains the age of sixty-six as the Secretary of State may at any time direct, but otherwise hold office during Her Majesty's pleasure.

~~(5) Where the Secretary of State proposes to appoint a person to be a traffic commissioner~~ **the traffic commissioner for a traffic area** he shall, before making the appointment, require that person to declare if he has any, and if so what, financial interest in any transport undertaking which carries passengers or goods by road within Great Britain.

(6) Schedule 2 to this Act shall have effect with respect to traffic commissioners.

4A Senior traffic commissioner *<inserted by clause 3>*

- (1) One of the traffic commissioners shall be appointed by the Secretary of State to be the senior traffic commissioner.**
- (2) The senior traffic commissioner shall have such functions as may be conferred or imposed by or under any of the following enactments--**
 - (a) section 4B below (deployment of traffic commissioners),**
 - (b) section 4C below (guidance and general directions),****or any other provision of this Act or any other enactment.**
- (3) The senior traffic commissioner--**
 - (a) shall hold office for such period as the Secretary of State specifies when making the appointment; but**
 - (b) ceases to hold that office on ceasing to hold office as a traffic commissioner.**
- (4) A traffic commissioner who has been the senior traffic commissioner is eligible for re-appointment as the senior traffic commissioner.**
- (5) In the case of illness, incapacity or absence of the senior traffic commissioner, the Secretary of State may appoint another traffic commissioner to act as deputy for the senior traffic commissioner.**
- (6) Where the office of senior traffic commissioner becomes vacant, the Secretary of State may appoint a person (whether or not over the age of 65) to act as senior traffic commissioner pending the appointment of a new senior traffic commissioner.**
- (7) Any person appointed under subsection (6) above shall--**
 - (a) hold office for such period as the Secretary of State specifies when making the appointment, and**
 - (b) during that period be treated for all purposes as the senior traffic commissioner.**

4B Power of senior traffic commissioner to deploy other commissioners *<inserted by clause 3>*

- (1) In this section--**
 - (a) subsections (2) to (4) confer powers on the senior traffic commissioner in relation to traffic commissioners and deputy traffic commissioners for England and Wales; and**
 - (b) subsections (5) to (7) confer powers on the senior traffic commissioner in relation to the Scottish traffic commissioner and any deputy traffic commissioners for the Scottish traffic area.**

(2) The senior traffic commissioner may require any traffic commissioner for England and Wales to carry out such of the functions of traffic commissioner for England and Wales as the senior traffic commissioner may determine--

(a) in relation to such matters relating to England and Wales, or

(b) as respects Scotland, in relation to such reserved matters, as the senior traffic commissioner may determine.

(3) The senior traffic commissioner may require any traffic commissioner for England and Wales to carry out such of those functions as the senior traffic commissioner may determine at such places--

(a) in England and Wales, or

(b) in the case of functions which relate to reserved matters and are exercisable in relation to Scotland, in Scotland,

as the senior traffic commissioner may determine.

(4) Subsections (2) and (3) above also apply in relation to a deputy traffic commissioner for England and Wales as they apply in relation to a traffic commissioner for England and Wales, construing the references to functions accordingly.

(5) The senior traffic commissioner may require the Scottish traffic commissioner to carry out as respects England and Wales such of the functions exercisable by the Scottish traffic commissioner in relation to reserved matters by virtue of section 4(3B)(b) of this Act as the senior traffic commissioner may determine.

(6) The senior traffic commissioner may require the Scottish traffic commissioner to carry out such of those functions as the senior traffic commissioner may determine at such places in England and Wales as the senior traffic commissioner may determine.

(7) Subsections (5) and (6) above also apply in relation to a deputy traffic commissioner for the Scottish Traffic Area as they apply in relation to the Scottish traffic commissioner, construing the references to functions accordingly.

(8) In this section--

"deputy traffic commissioner for the Scottish Traffic Area" means any person appointed under paragraph 3 or 4 of Schedule 2 to this Act to act as deputy in the case of the Scottish traffic commissioner;

"reserved matters" means reserved matters within the meaning of the Scotland Act 1998.

4C Power of senior traffic commissioner to give guidance and directions <inserted by clause 3>

(1) The senior traffic commissioner may give to the traffic commissioners--

(a) guidance, or

(b) general directions,

as to the exercise of their functions under any enactment.

This subsection is subject, in relation to Scotland, to subsection (5) below.

- (2) The guidance that may be given under subsection (1)(a) above includes guidance as to--
- (a) the meaning and operation of any enactment or instrument relevant to the functions of traffic commissioners;
 - (b) the circumstances in which, and the manner in which, a traffic commissioner should exercise any power to impose any sanction or penalty;
 - (c) matters which a traffic commissioner should or should not take into account when exercising any particular function.

- (3) The directions that may be given under subsection (1)(b) above include directions as to--
- (a) the circumstances in which, and the manner in which, officers or servants of a traffic commissioner may exercise any function for or on behalf of the traffic commissioner, and any conditions which such officers or servants must meet before they may do so;
 - (b) the information which a traffic commissioner must ask to be supplied in connection with the exercise of any particular function, and the steps which must be taken to verify the accuracy of any information so supplied;
 - (c) the procedure to be adopted in conducting inquiries under section 54 of this Act, section 35 of the Goods Vehicles (Licensing of Operators) Act 1995 or any other enactment;
 - (d) the manner in which a traffic commissioner must or may publish his decisions;
 - (e) circumstances in which a traffic commissioner must consult some, or all, of the other traffic commissioners before exercising any particular function.

- (4) The senior traffic commissioner must consult each of the following persons before giving any guidance or directions under subsection (1) above--

- (a) the Secretary of State;
- (b) the Scottish Ministers;
- (c) the Welsh Ministers;
- (d) the other traffic commissioners;
- (e) such organisations representative of the interests of local government, of London government, of Integrated Transport Authorities and of Passenger Transport Executives as the senior traffic commissioner thinks fit;
- (f) such organisations representative of passenger transport operators, and of road haulage operators, as the senior traffic commissioner thinks fit;

and such other persons as the senior traffic commissioner thinks fit.

- (5) The only guidance or directions under this section which the senior traffic commissioner may give to the Scottish traffic commissioner are guidance or directions as to the exercise of functions that relate to reserved matters within the meaning of the Scotland Act 1998.

- (6) The Secretary of State may give the senior traffic commissioner guidance as to the exercise of the senior traffic commissioner's functions under this section.

- (7) The senior traffic commissioner must have regard to any guidance given under subsection (6) above.

5 Publication of information by traffic commissioners

- (1) Every traffic commissioner shall publish, in such form and at such times as may be prescribed, such information with respect to the exercise, or proposed exercise, of any of his functions under this Act or the Transport Act 1985 as may be prescribed.
- (2) Where the traffic commissioner for a traffic area publishes information under this section he shall--
 - (a) send a copy of the publication--
 - (i) to every chief officer of police, Passenger Transport Executive and local authority whose area falls partly or wholly within that traffic area; and
 - (ii) where that traffic area falls wholly or partly within London, to Transport for London; and
 - (b) make a copy of it available (by post if required and on payment of such fee as may be prescribed) to anyone who asks for one.
- (3) In this section "local authority" means--
 - (a) in England and Wales, the council of any non-metropolitan county, any district or London borough or the Common Council of the City of London; and
 - (b) in Scotland, any council constituted under section 2 of the Local Government etc (Scotland) Act 1994.

Part II

< SECTIONS 6 TO 11 OMITTED AS THEY ARE UNAFFECTED BY THE LOCAL TRANSPORT BILL >

Public service vehicle operators' licences

12 PSV operators' licences

- (1) A public service vehicle shall not be used on a road for carrying passengers for hire or reward except under a PSV operators' licence granted in accordance with the following provisions of this Part of this Act.
- (2) The authority having power to grant a PSV operator's licence is the traffic commissioner for any traffic area in which, if the licence is granted, there will be one or more operating centres of vehicles used under the licence; and, subject to the provisions of this Part of this Act, a PSV operator's licence authorises the holder to use anywhere in Great Britain vehicles which have their operating centre in the area of the traffic commissioner by whom the licence was granted.
- (3) A person may hold two or more PSV operators' licences each granted by the traffic commissioner for a different area, but shall not at the same time hold more than one such licence granted by the commissioner for the same area.
- (4) An application for a PSV operator's licence shall be made in such form as the traffic commissioner may require, and an applicant shall give the commissioner such information as he may reasonably require for disposing of the application.

(5) Subject to section 68(3) of this Act, if a vehicle is used in contravention of subsection (1) above, the operator of the vehicle shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

12A Detention of certain PSVs used without PSV operators' licences <inserted by clause 42>

Schedule 2A (which relates to the detention, removal and disposal of PSVs which are adapted to carry more than 8 passengers and in respect of which it appears that section 12(1) is contravened) shall have effect.

<REMAINDER OF PART II OMITTED AS IT IS UNAFFECTED BY THE LOCAL TRANSPORT BILL>

<PART III REPEALED BY THE TRANSPORT ACT 1985>

<PART IV OMITTED AS IT IS UNAFFECTED BY THE LOCAL TRANSPORT BILL>

Part V

<SECTIONS 49A TO 81 OMITTED AS THEY ARE UNAFFECTED BY THE LOCAL TRANSPORT BILL>

82 General interpretation provisions <amended by clause 2>

(1) In this Act, unless the context otherwise requires--

"certificate of initial fitness" has the meaning given by section 6;

"company" means a body corporate;

"contravention", in relation to any condition or provision, includes a failure to comply with the condition or provision, and "contravene" shall be construed accordingly;

"director", in relation to a company, includes any person who occupies the position of a director, by whatever name called;

"driver", where a separate person acts as steersman of a motor vehicle, includes that person as well as any other person engaged in the driving of the vehicle, and "drive" shall be construed accordingly;

"fares" include sums payable in respect of a contract ticket or a season ticket;

"international operation" means a passenger transport operation starting or terminating in the United Kingdom and involving an international journey by the vehicle concerned, whether or not any driver leaves or enters the United Kingdom with that vehicle;

"local authority" means

(a) in relation to England and Wales, any local authority within the meaning of the Local Government Act 1972;

(b) in relation to Scotland, a council constituted under section 2 of the Local Government etc (Scotland) Act 1994;

"local service" has the same meaning as in the Transport Act 1985;

"magistrates' court" has the same meaning as in the Magistrates' Courts Act 1980;

"modification" includes addition, omission and alteration, and related expressions shall be construed accordingly;

"motor vehicle" means a mechanically propelled vehicle intended or adapted for use on roads;

"national operation" means a passenger transport operation wholly within the United Kingdom;

"official PSV testing station" has the meaning given by section 8(3);

"operating centre", in relation to a vehicle, means the base or centre at which the vehicle is normally kept;

"operator" has the meaning given by section 81;

"owner" in relation to a vehicle which is the subject of an agreement for hire, hire-purchase, conditional sale or loan, means the person in possession of the vehicle under that agreement, and references to owning a vehicle shall be construed accordingly;

"prescribed" has the meaning given by section 60(2);

"prescribed testing authority" means such person authorised by the Secretary of State under section 8 of the Transport Act 1982 to carry on a vehicle testing business within the meaning of Part II of that Act as may be prescribed;

"PSV operator's licence" means a PSV operator's licence granted under the provisions of Part II of this Act;

"public service vehicle" has the meaning given by section 1;

"relevant conviction" means a conviction (other than a spent conviction) of any offence prescribed for the purposes of this Act, or an offence under the law of Northern Ireland, or of a country or territory outside the United Kingdom, corresponding to an offence so prescribed;

"restricted licence" means such a PSV operator's licence as is mentioned in section 13(3);

"road" means any highway and any other road to which the public has access, and includes bridges over which a road passes;

"standard licence" means a PSV operator's licence which is not a restricted licence;

"statutory provision" means a provision contained in an Act or in subordinate legislation within the meaning of the Interpretation Act 1978;

"the Scottish traffic commissioner" is to be read in accordance with section 4(1)(b) (the traffic commissioner for the Scottish Traffic Area);

"traffic commissioner" means the person appointed to be the commissioner for a traffic area constituted for the purposes of this Act;

"tramcar" includes any carriage used on any road by virtue of an order made under the Light Railways Act 1896;

"transport manager", in relation to a business, means an individual who, either alone or jointly with one or more other persons, has continuous and effective responsibility for the management of the road passenger transport operations of the business;

(1A) References in any provision of this Act to an authorised inspector are references to an authorised inspector under section 8 of the Transport Act 1982 and, where the function to which that provision relates is one of those specified in section 9 of that Act (testing and surveillance functions), are limited to an authorised inspector authorised under section 8 to exercise that function.

(2) Any reference in this Act to a Community instrument or to a particular provision of such an instrument--

- (a) is a reference to that instrument or provision as amended from time to time, and
- (b) if that instrument or provision is replaced, with or without modification, shall be construed as a reference to the instrument or provision replacing it.

(3) In this Act--

- (a) any reference to a county shall be construed in relation to Wales as including a reference to a county borough;
- (b) any reference to a county council shall be construed in relation to Wales as including a reference to a county borough council; and
- (c) section 17(4) and (5) of the Local Government (Wales) Act 1994 (references to counties and districts to be construed generally in relation to Wales as references to counties and county boroughs) shall not apply.

<REMAINDER OF PART V, AND SCHEDULE 1, OMITTED AS THEY ARE UNAFFECTED BY THE LOCAL TRANSPORT BILL>

SCHEDULE 2 – TRAFFIC COMMISSIONERS *<amended by clauses 3 and 4>*

Terms of service of traffic commissioners

1

The Secretary of State may remove a traffic commissioner from his office ~~for inability or misbehaviour~~ **on the grounds that the traffic commissioner--**

- (a) has misbehaved, or**
- (b) is unable, unfit or unwilling to perform the functions of traffic commissioner to a standard which the Secretary of State considers satisfactory.**

2

If a traffic commissioner acquires a financial interest in a transport undertaking which carries passengers or goods by road within Great Britain he shall, within four weeks after so doing give notice of that acquisition in writing to the Secretary of State specifying the interest so acquired and the Secretary of State after taking the matter into consideration, may if he thinks fit declare that the traffic commissioner has vacated his office.

Deputy traffic commissioners for England and Wales

2A

- (1) The Secretary of State may appoint such number of persons to be deputy traffic commissioners for England and Wales as the Secretary of State thinks fit.**
- (2) A deputy traffic commissioner for England and Wales--**
 - (a) may exercise any functions of a traffic commissioner in any traffic area in England and Wales; and**
 - (b) may exercise in relation to the Scottish Traffic Area any functions of a traffic commissioner that relate to reserved matters.**
- (3) Appointment as a deputy traffic commissioner for England and Wales shall be upon such terms and conditions, including conditions as to the time to be devoted to the duties of the office, as the Secretary of State may determine.**
- (4) A deputy traffic commissioner for England and Wales shall carry out such of the functions of that office as the senior traffic commissioner may determine under section 4B of this Act--**
 - (a) in relation to such matters relating to England and Wales, or**
 - (b) as respects Scotland, in relation to such reserved matters, as the senior traffic commissioner may so determine.**
- (5) A deputy traffic commissioner for England and Wales shall carry out such of those functions as the senior traffic commissioner may determine under section 4B of this Act at such places--**
 - (a) in England and Wales, or**
 - (b) in the case of functions which relate to reserved matters and are exercisable in relation to Scotland, in Scotland,****as the senior traffic commissioner may so determine.**
- (6) In this paragraph "reserved matters" means reserved matters within the meaning of the Scotland Act 1998.**

Appointment, functions and terms of office of deputy traffic commissioners in Scotland

2B

Paragraphs 3 to 5 below have effect in relation to the Scottish Traffic Area only.

3

In the case of illness, incapacity or absence of a traffic commissioner, the Secretary of State may appoint some other person to act as his deputy.

4

If the Secretary of State considers that the duties to be performed by a traffic commissioner, or any deputy appointed under paragraph 3 above to the traffic commissioner, cannot conveniently or efficiently be performed by one person, the Secretary of State may appoint one or more persons to act as deputy to the traffic commissioner.

5

A person appointed under paragraph 4 above shall be appointed upon such terms and conditions, including conditions as to the time which he is to devote to the duties of his office, as the Secretary of State may determine, and shall act for the traffic commissioner whose deputy he is in such matters as the traffic commissioner, or any deputy appointed by reason of the traffic commissioner's illness, incapacity or absence, may from time to time direct as the Secretary of State may from time to time by general directions require, and for that purpose shall exercise and perform all the powers and duties of the traffic commissioner.

Appointment of acting traffic commissioner during vacancy

5A

(1) Where the office of any traffic commissioner for England and Wales becomes vacant, the Secretary of State may appoint a person (whether or not over the age of 65) to act as a traffic commissioner for England and Wales pending the appointment of a new traffic commissioner under section 4 of this Act.

(2) Any person appointed under sub-paragraph (1) above shall--

(a) hold office for such period as the Secretary of State specifies when making the appointment; and

(b) during that period be treated for all purposes (except those of paragraph 9 below) as a traffic commissioner for England and Wales.

6

(1) Where the office of traffic commissioner for any traffic area **in Scotland** becomes vacant the Secretary of State may, pending the appointment of a new traffic commissioner for that area under section 4 of this Act, appoint a person (whether or not over the age of sixty-five) under this paragraph to act as traffic commissioner for that area for a limited period.

- (2) Any person appointed under sub-paragraph (1) above shall--
- (a) hold office for such period as the Secretary of State specifies when making the appointment; and
 - (b) during that period be treated for all purposes (except those of paragraph 9 below) as the traffic commissioner for the traffic area in question.

Staff of traffic commissioners

7

Subject to the approval of the Treasury, the Secretary of State may appoint such persons to act as officers and servants of a traffic commissioner as he considers appropriate.

Remuneration and pensions

8

(1) There shall be paid to a traffic commissioner and deputy traffic commissioner, and to the persons acting as officers or servants of a traffic commissioner, such remuneration and allowances as may be determined by the Secretary of State with the consent of the Treasury.

(2) There shall be paid to the senior traffic commissioner such additional remuneration in respect of the responsibilities of that office as may be so determined.

9

The principal civil service pension scheme (within the meaning of section 2 of the Superannuation Act 1972) which is for the time being in force shall apply to persons holding the office of **traffic commissioner for England and Wales or for the Scottish Traffic Area** ~~traffic commissioner for each of the traffic areas.~~]

SCHEDULE 2A

DETENTION OF CERTAIN PSVs USED WITHOUT PSV OPERATORS' LICENCES

[As set out in Schedule 3 to the Local Transport Bill]

<REMAINING SCHEDULES OMITTED AS THEY ARE UNAFFECTED BY THE LOCAL TRANSPORT BILL>