



# Transport Act 1982

## 1982 CHAPTER 49

### PART IV

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Supplemental*

#### **72 Application to Crown**

The following provisions of this Act, that is to say—

- (a) section 25 ; and
- (b) sections 53 and 54 ;

apply to vehicles and persons in the public service of the Crown.

#### **73 Regulations and orders**

- (1) Subject to subsection (2) below, any power conferred by this Act on the Secretary of State to make any order or regulations shall be exercisable by statutory instrument.
- (2) An order approving a type of device or appliance for use as an immobilisation device for the purposes of section 53 of this Act shall not be made by statutory instrument.
- (3) Before making—
  - (a) an order under section 29(2) or (5) of this Act;
  - (b) an order to which section 55(6) of this Act applies; or
  - (c) regulations under section 49(1) of this Act;the Secretary of State shall consult with such representative organisations as he thinks fit.
- (4) Any statutory instrument containing regulations or an order made under any provision of this Act, except an order made under section 5(5) or 76(2) of this Act or an order to which section 55(6) of this Act applies, shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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- (5) Regulations made under this Act may—
- (a) make different provision for different cases ; and
  - (b) contain such incidental and supplemental provisions as the Secretary of State considers expedient for the purposes of the regulations.

#### **74 Minor and consequential amendments and repeals**

- (1) The enactments specified in Schedule 5 to this Act shall have effect subject to the amendments there specified, being minor amendments and amendments consequential on the provisions of this Act.
- (2) The enactments specified in Schedule 6 to this Act are hereby repealed to the extent specified in the third column of that Schedule, but the repeal in the Heavy Commercial Vehicles (Controls and Regulations) Act 1973 is subject to the saving in section 56(3) of this Act.

#### **75 General interpretation**

In this Act—

- " the 1967 Act " means the Road Traffic Regulation Act 1967;
- " the 1972 Act " means the Road Traffic Act 1972 ;
- " prescribed " means prescribed by regulations made by the Secretary of State ; and
- " road " means any highway and any other road to which the public has access, and includes bridges over which a road passes.

#### **76 Citation, commencement and extent**

- (1) This Act may be cited as the Transport Act 1982.
- (2) Subject to subsection (3) below, this Act shall come into force on such day or days as the Secretary of State may by order appoint, and different days may be appointed for different purposes.
- (3) Sections 53 to 56 of this Act and paragraph 18 (except sub-paragraph (a)) of Schedule 5 to this Act shall come into force on the passing of this Act.
- (4) An order under subsection (2) above may contain such transitional provisions and savings (whether or not involving the modification of any statutory provision) as appear to the Secretary of State necessary or expedient in connection with the provisions brought (wholly or partly) into force by the order.
- (5) Without prejudice to the generality of subsection (4) above, the transitional provisions included by virtue of that subsection in any order bringing section 52 of and Schedule 4 to this Act into force may provide for applying Part V of the Transport Act 1968 as amended by that Schedule to operators' licences granted under Part V before the order comes into operation with such modifications as appear to the Secretary of State to be appropriate.
- (6) Except for Part I of this Act and the provisions mentioned in subsection (7) below, this Act shall not extend to Northern Ireland.
- (7) The provisions referred to in subsection (6) above are—

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- (a) sections 66, 67 and 71 of this Act; and
  - (b) the amendments in paragraphs 5 and 20 of Schedule 5 to this Act of, respectively, section 48(2) of the Transport Act 1968 and Part III of Schedule 1 to the House of Commons Disqualification Act 1975.
- (8) In subsection (4) above, " statutory provision " means a provision contained in an Act or in subordinate legislation within the meaning of the Interpretation Act 1978.