

NATIONAL TRANSPORT

BRITISH TRANSPORT COMMISSION

1952 No. 1726

The British Transport Commission (Executives) Order, 1952

Made - - - - 22nd September, 1952

Coming into Operation 1st October, 1952

The Minister of Transport in exercise of the powers conferred upon him by sections 5 and 120 of the Transport Act, 1947(a), and of all other powers him enabling in that behalf and after consultation with the British Transport Commission (hereinafter referred to as "the Commission") hereby makes the following Order:—

1.—(1) This Order shall come into operation on the 1st October, 1952, and may be cited as the British Transport Commission (Executives) Order, 1952.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. As from the coming into operation of this Order, the British Transport Commission (Executives) (No. 2) Order, 1949(c), shall have effect as though the reference therein to six Executives were a reference to five Executives and the reference to the Road Passenger Executive were omitted, and accordingly the functions previously exercisable by the Executive known as the Road Passenger Executive (hereinafter referred to as "the Executive") shall become directly exercisable by the Commission.

3. The following transitional provisions shall have effect, namely:—

- (a) where any legal proceedings or applications to any authority are pending immediately before the 1st October, 1952, by or against the Executive, those proceedings or applications shall be continued by or against the Commission;
- (b) on and after the 1st October, 1952, legal proceedings to enforce a cause of action which has accrued before that date to the Executive or to any person against the Executive, shall be instituted by or against the Commission; and
- (c) all rights, powers and liabilities of the Executive which were in force immediately before the 1st October, 1952, shall on and after that date be treated as rights, powers and liabilities of the Commission, and accordingly any reference in any statutory provision, or in any contract or document passed or made before the 1st October, 1952, to the Executive shall be construed on and after that date as a reference to the Commission.

Given under the Official Seal of the Minister of Transport this twenty-second day of September, 1952.

(L.S.)

Alan Lennox-Boyd,

The Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order abolishes the Road Passenger Executive and includes transitional provisions as to the parties by or against whom legal proceedings are to be instituted or continued and other consequential transitional provisions.
