



Statutory Document No. 41/93

THE GOVERNMENT DEPARTMENTS ACT 1987

THE TRANSFER OF FUNCTIONS (DRIVER AND VEHICLE LICENSING) ORDER 1993

Approved by Tynwald 16th. February 1993
Coming into operation 1st April 1993

In exercise of the powers conferred on the Council of Ministers by paragraphs 1 and 3 of Schedule 2 to the Government Departments Act 1987(a), and of all other enabling powers, the following Order is hereby made:-

Citation, commencement and interpretation

1. (1) This Order may be cited as the Transfer of Functions (Driver and Vehicle Licensing) Order 1993 and, subject to paragraph 4(4) of Schedule 2 to the Act, shall come into operation on the 1st April 1993.
- (2) In this Order "the Act" means the Government Departments Act 1987.

Transfer of licensing functions

2. (1) The functions of the Treasury under the following enactments —
 - (a) the Licensing and Registration of Vehicles Act 1985(b);
 - (b) Schedule 3 (driving licences) and Schedule 5 (third party insurance) of the Road Traffic Act 1985(c);
 - (c) the Motor Vehicles (International Circulation) Act 1955(d); and
 - (d) any public document made or having effect as if made under any of the enactments specified in paragraphs (a), (b) and (c);are transferred to the Department of Highways, Ports and Properties.
- (2) Paragraph 5(2), (3) and (6) (transfer of property, staff etc.) of Schedule 2 to the Act does not apply to this Order.

(a) 1987 c.13 (b) 1985 c.21 (c) 1985 c.23 (d) XVIII p.518

Consequential amendments

3. (1) The enactments specified in Schedule 1 are amended in accordance with that Schedule.
- (2) The enactments specified in Schedule 2 are repealed or, as the case may be, revoked to the extent specified in column 3 of that Schedule.

Article 3(1).

SCHEDULE 1

AMENDMENT OF ENACTMENTS

The Motor Vehicles (International Circulation) Act 1955 (XVIII p.518)

1. (1) In section 1(1), for "Treasury" substitute "Department of Highways, Ports and Properties (in this Act referred to as "the Department")".
- (2) In section 1(2)(a) and (c) and (3), for "Treasury" substitute "Department".

The Motor Vehicles (International Circulation) Order 1976 (GC 165/76)

2. In article 2, in the definition of "Board", for "Treasury" substitute "Department of Highways, Ports and Properties".

The Local Government (Miscellaneous Provisions) Act 1984 (c.5)

3. In section 6(6), for "Treasury" substitute "Highways Department".

The Road Traffic Regulation Act 1985 (c.20)

4. In paragraphs 8, 9 and 12 of Schedule 5A, for "Treasury" (wherever occurring) substitute "Department".

The Licensing and Registration of Vehicles Act 1985 (c.21)

5. (1) In section 1(2), for "Treasury" substitute "Department of Highways, Ports and Properties (in this Act referred to as "the Department)".

- (2) In the following provisions, for "Treasury" (wherever occurring) substitute "Department" —

section 3;
section 6;
sections 8 to 11;
section 13;
sections 15 and 16;
paragraph 6 of Part I of Schedule 1.

- (3) In the following provisions, for "Department of Highways, Ports and Properties" substitute "Department" —

section 13(1)(d);
paragraph 14 of Part I of Schedule 1.

- (4) In section 19(1) and (2), for "Board" substitute "Department".
- (5) In section 20 —
 - (a) after "In this Act —" insert —

""the Department" means the Department of Highways, Ports and Properties;";
 - (b) for the definition of "regulations" substitute —

""regulations" means regulations made by the Department;".

The Road Traffic Act 1985 (c.23)

6. (1) In the following provisions, for "Treasury" (wherever occurring) substitute "Department" —
- section 4(3);
 - section 42(2);
 - section 43(1);
 - section 48(2)(f);
 - section 49(4)(b).
- (2) Schedule 3 is amended as follows —
- (a) in paragraphs 2(1), 4 to 11 and 21, for "Treasury" substitute "Department";
 - (b) in paragraph 22(1), for the words from the beginning to "into effect," substitute "The Department may make regulations for the purpose of carrying this Schedule into effect,".
- (3) In paragraphs 3, 4, 5, 11 and 11A of Schedule 5, for "Treasury" (wherever occurring) substitute "Department".

The Road Traffic (Excess Alcohol) Act 1991 (c.13)

7. In section 4(2), for "Treasury" substitute "Department of Highways, Ports and Properties".

Article 3(2).

SCHEDULE 2
ENACTMENTS REPEALED OR REVOKED

<i>Reference</i>	<i>Short title</i>	<i>Extent of repeal or revocation</i>
1989 c.6	The Statute Law Revision Act 1989.	In Schedule 1, paragraph 40(1).
1985 c.23	The Road Traffic Act 1985.	In section 54, the words "or the Treasury".

In section 58, in subsection (1), the words "or the Treasury" and "or the Treasury, as the case may be,"; and in subsection (3), the words "or the Treasury".

In section 60, the words "or the Treasury".

In section 74, in subsection (1), the words "Except as provided by subsection (1A)"; subsection (1A); and in subsection (2), the words "or the Treasury".

In Schedule 3, paragraph 22(2).

GC 69/86

The Transfer of Functions
(Treasury) Order 1986.

Article 2.
Part I of the Schedule.

GC 190/86

The Department of Highways,
Ports and Properties Order
1986.

In Schedule 5, paragraph 49.

1990 c.15

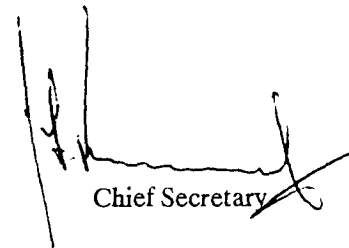
The Road Traffic (Driving
Courses) Act 1990.

Section 1(5).

MADE

28th January

1993



Chief Secretary

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order transfers to the Department of Highways, Ports and Properties the functions of the Treasury relating to driver and vehicle licensing.