

NATIONAL TRANSPORT

1953 No. 1291

The British Transport Commission (Executives) Order, 1953

Made - - - - - 19th August, 1953
Coming into Operation 1st October, 1953

The Minister of Transport in exercise of the powers conferred upon him by Section 5 of the Transport Act, 1947(a), as extended by Section 25 of the Transport Act, 1953(b), 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, 1953, and may be cited as the British Transport Commission (Executives) Order, 1953.

(2) The Interpretation Act, 1889(c), 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, there shall be one Executive only, namely, the Executive known as the London Transport Executive, and accordingly the functions previously exercisable by the Executives known respectively as the Railway Executive, the Road Haulage Executive, the Docks and Inland Waterways Executive and the Hotels Executive (hereinafter referred to as "the Executives") 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, 1953, by or against the Executives or any of them those proceedings or applications shall be continued by or against the Commission;
- (b) on and after the 1st October, 1953, legal proceedings to enforce a cause of action which has accrued before that date to the Executives or any of them or to any person against the Executives or any of them shall be instituted by or against the Commission; and
- (c) all rights, powers and liabilities of the Executives which were in force immediately before the 1st October, 1953, 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, 1953, to the Executives or any of them 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 nineteenth day of August, 1953.

(L.S.)

A. T. Lennox-Boyd,
The Minister of Transport.

(a) 10 & 11 Geo. 6. c. 49.

(c) 52 & 53 Vict. c. 63.

(b) 1 & 2 Eliz. 2. c. 13.

EXPLANATORY NOTE

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

This Order abolishes the Railway Executive, the Road Haulage Executive, the Docks and Inland Waterways Executive and the Hotels 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.

1953 No. 1193

The British Transport Commission (Compensation to Employees) Regulations, 1953

Made - - - - - 31st July, 1953
Coming into Operation 14th August, 1953

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament:

Now, therefore, the Minister of Transport in exercise of the powers conferred upon him by Section 28 of the Transport Act, 1953(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the fourteenth day after the date upon which these Regulations are made and shall have effect from the 6th May, 1953.

(2) These Regulations may be cited as the British Transport Commission (Compensation to Employees) Regulations, 1953.

(3) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“the Act” means the Transport Act, 1953:

“the Act of 1947” means the Transport Act, 1947(b);

“the Commission” means the British Transport Commission:

“completed year of whole time service” means service for a period of three hundred and sixty-five days, or a number of periods amounting in the aggregate to three hundred and sixty-five days:

Provided that if the period or periods of whole time service when aggregated include a fraction of a year, that fraction shall, if it exceeds one hundred and eighty-two days, be treated as a year, and in any other case be disregarded:

“current net emoluments”, in relation to an officer or servant suffering loss of employment or loss or diminution of emoluments or worsening of conditions, means his annual rate of emoluments as an officer or servant at the date of such loss, diminution or worsening, after deducting therefrom any contribution payable by the officer or servant under any pension scheme associated with his employment; furthermore, any amount by which emoluments exceed £4,000 shall be disregarded: