



Number 21 of 1955

TRANSPORT (MISCELLANEOUS PROVISIONS) ACT 1955

REVISED

Updated to 31 August 2016

This Revised Act is an administrative consolidation of the *Transport (Miscellaneous Provisions) Act 1955*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975 (3/1975)* to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Energy Act 2016 (12/2016)*, enacted 30 July 2016, and all statutory instruments up to and including *European Union (Identification of Equidae) (Amendment) (No. 2) Regulations 2016 (S.I. No. 470 of 2016)*, made 31 August 2016, were considered in the preparation of this Revised Act.

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Introduction

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

This Act is not collectively cited with any other Act.

Annotations

This Revised Act is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available. A list of legislative changes to any Act, and to statutory instruments from 1999, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.



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ARRANGEMENT OF SECTIONS

Section

1. The Minister.
2. Carriage of milk and of wheat.
3. Maintenance of essential supplies.
4. Train services temporarily discontinued.
5. Short title.

ACTS REFERRED TO

Dairy Produce Act, 1924	No. 58 of 1924
Road Transport Act, 1933	No. 8 of 1933
Agricultural Produce (Cereals) Act, 1933	No. 7 of 1933
Transport Act, 1950	No. 12 of 1950



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AN ACT TO MODIFY SECTION 9 OF THE ROAD TRANSPORT ACT, 1933, IN RELATION TO THE CARRIAGE OF MILK AND WHEAT AND, IN AN EMERGENCY, OF OTHER COMMODITIES AND TO MAKE PROVISION IN RELATION TO RAILWAY SERVICES TEMPORARILY DISCONTINUED. [15th November, 1955.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

The Minister.

1.—In this Act “the Minister” means the Minister for Industry and Commerce.

Carriage of milk and of wheat.

2.—(1) In this section—

“creamery” means premises registered in the Register of Creameries kept under the Dairy Produce Act, 1924 (No. 58 of 1924);

“cream separating station” means premises registered in the Register of Cream Separating Stations kept under that Act.

(2) Section 9 of the Road Transport Act, 1933 (No. 8 of 1933), (which restricts the carriage of merchandise by unlicensed persons) shall not apply to any one or more of the following—

- (a) the carriage of milk to a creamery or a cream separating station,
- (b) the carriage of separated milk from a creamery or cream separating station,
- (c) the carriage of milk containers to or from a creamery or cream separating station.

(3) The Minister may by order provide that, during a specified period, the said section 9 shall not apply to the carriage of wheat by a person authorised by law to act during a particular season as the agent of the licensee of a mill licensed under section 21 of the Agricultural Produce (Cereals) Act, 1933 (No. 7 of 1933), where the wheat was purchased by the agent for the licensee [or for An Bord Gráin] is carried in a vehicle owned by the agent.

(4) The Minister may by order revoke an order under subsection (3).

Maintenance of essential supplies.

3.—(1) The Government, if it appears to them to be necessary to do so in the interests of the public safety or the preservation of the State, or for maintaining supplies and services essential to the life of the community, may by order provide that, during a specified period, section 9 of the Road Transport Act, 1933 (which

restricts the carriage of merchandise by unlicensed persons), shall not apply to the carriage of a commodity specified in the order.

(2) The Government may by order revoke an order under subsection (1).

Train services temporarily discontinued.

4.—Where a service of trains on any railway line was temporarily discontinued under the Emergency Powers (Córas Iompair Éireann) (Reduction of Railway Services) Order, 1944 (S. R. & O., No. 354 of 1944), and no determination in relation to the line has been made by the Transport Tribunal before the passing of this Act under section 55 of the Transport Act, 1950 (No. 12 of 1950), *Córas Iompair Éireann* shall not be under an obligation to restore the service before—

(a) the determination by the Transport Tribunal of an application for an exemption order in relation to the line under that section made not later than three years after the passing of this Act or within such additional period, not exceeding two years, as the Minister may by order provide, or

(b) if no such application is made, the expiry of that period or additional period.

Short title.

5.—This Act may be cited as the *Transport (Miscellaneous Provisions) Act, 1955*.