Number 21 of 1955

TRANSPORT (MISCELLANEOUS PROVISIONS) ACT 1955

REVISED

Updated to 28 May 2019

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 Greyhound Racing Act 2019 (15/2019), enacted 28 May 2019, and all statutory instruments up to and including European Communities (Sheep Identification) (Amendment) Regulations 2019 (S.I. No. 243 of 2019), made 28 May 2019, 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Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked.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 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.
TRANSPORT (MISCELLANEOUS PROVISIONS) ACT 1955

ARRANGEMENT OF SECTIONS

Section
1. The Minister.
2. Carriage of milk and of wheat.
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
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:—

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

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).

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).

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.

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