



# London Regional Transport Act 1984

## 1984 CHAPTER 32

An Act to make provision with respect to transport in and around Greater London and for connected purposes. [26th June 1984]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### PART I

#### LONDON REGIONAL TRANSPORT

##### *Constitution and general functions of London Regional Transport*

#### **1 London Regional Transport**

- (1) Parts I and II of the 1969 Act (which made provision with respect to transport in and around Greater London and, in particular, established the London Transport Executive to run London transport services subject to the overall control of the Greater London Council) shall cease to have effect on the appointed day.
- (2) Notwithstanding the repeal by this Act of the provisions of the 1969 Act under which the Executive was established, the Executive shall continue to exist, but shall be known, as from the appointed day, as London Regional Transport.
- (3) London Regional Transport shall continue to be a body corporate; and Schedule 1 to this Act has effect with respect to the constitution and proceedings of London Regional Transport and the other matters there mentioned.
- (4) In this Act " the appointed day " means such day as the Secretary of State may by order appoint for the purposes of this section.

## **2 Provision of passenger transport services for Greater London**

- (1) It shall be the general duty of London Regional Transport, in accordance with principles from time to time approved by the Secretary of State and in conjunction with the Railways Board, to provide or secure the provision of public passenger transport services for Greater London.
- (2) In carrying out that duty London Regional Transport shall have due regard to—
  - (a) the transport needs for the time being of Greater London; and
  - (b) efficiency, economy and safety of operation.
- (3) It shall be the duty of London Regional Transport and the Railways Board, either acting directly, or acting indirectly through subsidiaries of theirs, to co-operate with one another in the exercise and performance of their respective functions for the purpose—
  - (a) of co-ordinating the passenger transport services provided by, or by subsidiaries of, those authorities respectively; and
  - (b) of securing or facilitating the proper discharge of London Regional Transport's duty under subsection (1) above;and to afford to one another such information as to their services as may reasonably be required for those purposes.
- (4) For the purposes of the co-operation required of them under subsection (3) above London Regional Transport and the Railways Board shall have power to enter into such arrangements with one another with respect to the exercise and performance of their respective functions on such terms as may appear to them to be expedient.
- (5) London Regional Transport's duty under subsection (1) above is subject to their financial duty under section 15 of this Act and their duty under section 16(5) of this Act to conduct their affairs with a view to achieving any financial objectives determined for them by the Secretary of State under section 16.
- (6) This section is not to be read as imposing, either directly or indirectly, any form of duty or liability enforceable by proceedings before any court.
- (7) The reference in subsection (2)(a) above to the transport needs of Greater London is a reference to the needs of Greater London with respect to public passenger transport services for persons travelling within, to or from Greater London, including persons who are disabled.

## **3 General powers**

- (1) London Regional Transport shall have power to form, promote and assist, or join with any other person in forming, promoting and assisting, a company for the purpose of carrying on any activities which London Regional Transport have power to carry on.
- (2) London Regional Transport shall have power to enter into and carry out agreements with any person for the carrying on by that person, whether as agent for London Regional Transport or otherwise, of any activities which London Regional Transport have power to carry on (and, in particular, for the provision by that person of any public passenger transport services which London Regional Transport have power to provide).
- (3) The duty of London Regional Transport and the Railways Board under section 2(3) of this Act to co-operate for the purpose mentioned in paragraph (a) of that subsection

shall extend to any public passenger transport services provided by any person other than a subsidiary of London Regional Transport under an agreement entered into by London Regional Transport by virtue of subsection (2) above; and any such agreement shall include such provision as appears to London Regional Transport to be appropriate—

- (a) for securing the proper discharge of their general duty under subsection (1) of that section ; and
  - (b) for the purposes of the co-operation with the Railways Board required of them by subsection (3)(a) of that section.
- (4) Without prejudice to subsection (3) above, any agreement entered into by London Regional Transport by virtue of subsection (2) above may in particular provide for—
- (a) combined services for the through carriage of passengers or goods to be provided by London Regional Transport or any of their subsidiaries and any other party to the agreement, the quoting of through rates and the pooling of receipts and expenses in respect of such services;
  - (b) securing efficiency, economy and safety of operation is the provision of any public passenger transport services in pursuance of the agreement;
  - (c) the exercise by London Regional Transport, in accordance with the agreement, of control over fares in respect of any such services and their routes and frequency of operation and over charges in respect of any other facilities provided in pursuance of the agreement ; and
  - (d) the making of payments by London Regional Transport to any other party to the agreement.
- (5) Where—
- (a) a company has been formed in the exercise of the powers conferred by subsection (1) above (whether by London Regional Transport alone or by London Regional Transport jointly with some other person); or
  - (b) London Regional Transport have entered into an agreement with any person in exercise of their powers under subsection (2) above;

London Regional Transport may, with the consent of the Secretary of State, enter into arrangements with that company or person for the transfer from London Regional Transport to that company or person, in such manner and on such terms (including payments by any of the parties to the arrangements to any of the other parties) as may be provided for by the arrangements, of any property, rights or liabilities of London Regional Transport relevant to the purpose for which the company was formed or (as the case may be) to the performance by that person of his obligations under the agreement.

- (6) Without prejudice to subsections (3) and (4) above, London Regional Transport shall have power to enter into and carry out agreements with—
- (a) any subsidiary of theirs ; or
  - (b) any person with whom they have entered into an agreement by virtue of subsection (2) above ;

providing for London Regional Transport to give assistance to the other party to the agreement by making available to that party any services, amenities or facilities provided by, or any works or land or other property belonging to, London Regional Transport, on such terms (including the reciprocal provision by that other party of similar assistance for London Regional Transport) as may be agreed between them.

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- (7) Without prejudice to the preceding provisions of this section, London Regional Transport and the Railways Board shall each have power to enter into and carry out agreements with the other and with any subsidiary of the other—
- (a) for the use by one party to the agreement of any amenities or facilities provided by the other ;
  - (b) for the management, working and use by one party to the agreement of works (whether within paragraph (a) above or not) or land or other property belonging to the other; and
  - (c) with respect to the rendering of services and the pooling of receipts or expenses.
- (8) The power—
- (a) of London Regional Transport under subsection (2) or (7) above; and
  - (b) of the Railways Board under subsection (7) above ;
- to enter into an agreement as there mentioned is exercisable notwithstanding that the agreement involves the delegation of the functions of London Regional Transport or (as the case may be) of the Railways Board under any enactment relating to any part of their undertaking.
- (9) Schedule 2 to this Act has effect for conferring further powers on London Regional Transport for the purpose of the exercise and performance of their functions under this Act and with respect to the other matters there mentioned.

#### *Organisation of undertaking*

#### **4 Duty to establish companies to run London bus and underground services**

- (1) Before the end of such period as the Secretary of State may specify for the purposes of this subsection in a direction given to London Regional Transport, London Regional Transport shall submit to the Secretary of State for his approval written proposals for the formation by them of a company for the purpose of providing public passenger transport services by bus for Greater London.
- (2) Before the end of such period as the Secretary of State may so specify for the purposes of this subsection, London Regional Transport shall submit to the Secretary of State for his approval written proposals for the formation by them of a company for the purpose of providing public passenger transport services by underground railway for Greater London.
- (3) Any proposals submitted to the Secretary of State under this section must provide for the company to which the proposals relate to be a company limited by shares and registered under the Companies Act 1948.
- (4) The objects of each company formed in pursuance of this section shall be such as appear to London Regional Transport to be necessary or appropriate in view of the purpose for which that company is established; and any proposals submitted to the Secretary of State under this section shall include a draft of the memorandum and articles of association of the company to which the proposals relate.
- (5) The Secretary of State may approve any proposals submitted to him under this section either without modifications or with such modifications as, after consultation with London Regional Transport, he thinks fit.

- (6) Where the Secretary of State approves any such proposals London Regional Transport shall form the company to which the proposals relate in accordance with the proposals as approved by the Secretary of State, and secure the registration of that company under the Companies Act 1948, within such period as the Secretary of State may, in giving his approval, specify.
- (7) Together with any proposals submitted to the Secretary of State under this section London Regional Transport shall submit to the Secretary of State for his approval a scheme providing for the transfer to the company to be formed in pursuance of those proposals of any property, rights and liabilities of London Regional Transport relevant to the carrying on of any activities which London Regional Transport have power to carry on and which are within the scope of the objects of that company as set out in those proposals.
- (8) A scheme under this section may be framed as providing for an immediate transfer of any property, rights and liabilities to which it relates on the assumption that the company which is to take the transfer will be formed before the scheme takes effect.
- (9) Section 27 of this Act applies to a scheme under this section.

## **5 Redistribution of property among London Regional Transport and subsidiaries**

- (1) London Regional Transport may, as occasion seems to them to require it, make schemes for the transfer, between London Regional Transport and a subsidiary of theirs or between one such subsidiary and another, of any property, rights and liabilities of theirs or of any such subsidiary.
- (2) Section 27 of this Act applies to a scheme under this section.

## **6 Obligation to invite tenders**

- (1) London Regional Transport shall, in the case of such activities carried on by them as they may determine to be appropriate, invite other persons to submit tenders to carry on those activities for such period and on such basis as may be specified in the invitation to tender.
- (2) London Regional Transport shall exercise their control over any subsidiary of theirs so as to require any such subsidiary, in the case of such activities carried on by that subsidiary as London Regional Transport may determine to be appropriate, to invite other persons to submit tenders to carry on those activities for such period and on such basis as may be so specified.
- (3) London Regional Transport—
  - (a) shall accept a tender invited by them in pursuance of this section; and
  - (b) shall exercise their control over any subsidiary of theirs so as to cause that subsidiary to accept a tender invited by that subsidiary in any case within subsection (2) above;if it appears to them that to do so would result in the relevant activities being carried on in a satisfactory manner and at less cost to them or (as the case may be) to that subsidiary than if they or that subsidiary were to continue to carry on those activities.
- (4) Every annual report of London Regional Transport under section 34 of this Act shall contain a statement showing the steps which London Regional Transport have taken

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in the accounting year to which the report relates to comply with the requirements of subsections (1) and (2) above.

- (5) For the purposes of any reference in this or any other Act to an agreement entered into by virtue of section 3(2) of this Act, any agreement concluded by London Regional Transport under this section shall be taken to be within that reference.

### *Planning and co-ordination*

## **7 Planning of passenger transport services for Greater London**

- (1) It shall be the duty of London Regional Transport to prepare, in accordance with this section, statements setting out in general terms—
- (a) the policies they intend to follow with a view to the discharge of their general duty under section 2(1) of this Act; and
  - (b) any action they have taken or propose to take for the purpose of carrying those policies into effect during the period to which the statement relates.
- (2) Any statement prepared under this section shall in particular deal with the following, that is to say—
- (a) the policies and plans of any subsidiaries of theirs, including (in the case of any such statement other than the first) any major changes or developments of any such policies and plans since the last statement so prepared;
  - (b) any current or proposed arrangements between London Regional Transport and the Railways Board under section 2(4) of this Act; and
  - (c) any agreements which London Regional Transport have made or propose to make with the Railways Board or any other person in exercise of their powers under section 3 of this Act.
- (3) Any statement prepared under this section shall deal with the financial prospects of London Regional Transport and any subsidiaries of theirs for the period to which the statement relates, having regard to any financial objectives determined for them by the Secretary of State under section 16 of this Act which, at the time when that statement is prepared, apply in relation to that period or any part of it.
- (4) In preparing any statement under this section London Regional Transport shall consult with—
- (a) the Railways Board ;
  - (b) the local authorities concerned ;
  - (c) the Passengers' Committee ; and
  - (d) such other persons (if any) as London Regional Transport may think fit;
- and shall have regard to any considerations to which the Secretary of State may from time to time draw their attention (including, in particular, considerations of national or regional transport policy) and to the development plan for any district which appears to London Regional Transport to be affected by any policies, proposals or plans which they propose to set out in the statement.
- (5) London Regional Transport—
- (a) shall submit any statement prepared under this section to the Secretary of State ; and

- (b) shall cause any such statement to be published in such manner as appears to them to be appropriate for informing persons appearing to them to be likely to be concerned.
- (6) In the exercise and performance of their functions under this Act with respect to any matter dealt with by a statement prepared under this section, London Regional Transport shall take into account any observations the Secretary of State may make with respect to that matter following the submission to him of that statement in accordance with subsection (5)(a) above.
- (7) The first statement required by subsection (1) above shall be prepared, and shall be submitted to the Secretary of State and published in accordance with subsection (5) above, before the end of the period of one year beginning with the appointed day.
- (8) Each subsequent statement shall be prepared, and shall be so submitted and published, before the end of the period of three years beginning with the date on which the last statement prepared under this section was so published.
- (9) For the purposes of subsection (4)(b) above, the local authorities concerned are—
  - (a) the Greater London Council;
  - (b) the councils of the London boroughs ;
  - (c) the Common Council; and
  - (d) the council of any county or district any part of whose area appears to London Regional Transport to be affected to a significant degree by any policies, proposals or plans which they propose to set out in the statement;and the reference in that subsection to the development plan for any district shall be construed in accordance with section 20 of the Town and Country Planning Act 1971.

## **8 Co-ordination of fares, services and charges under control of London Regional Transport**

It shall be the duty of London Regional Transport to exercise their control over any subsidiaries of theirs and their powers under this Part of this Act so as to determine—

- (a) the general level and structure of the fares to be charged for public passenger transport services provided by London Regional Transport or any subsidiary of theirs or by any other person in pursuance of any agreement entered into by London Regional Transport by virtue of section 3(2) of this Act;
- (b) the general structure of routes of such services and the general level of provision to be made with respect to their frequency of operation ; and
- (c) the general level of charges to be made for other facilities provided as mentioned in paragraph (a) above.

### *Powers of disposal*

## **9 Powers of disposal**

- (1) Without prejudice to their powers of disposal under Schedule 2 to this Act, London Regional Transport shall have power, subject to subsection (2) below, to provide for the disposal, in such manner as they think fit, of—
  - (a) any securities of one of their subsidiaries which are held by London Regional Transport or by another of their subsidiaries; or

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- (b) the whole or any part of the undertaking of any of their subsidiaries.
- (2) London Regional Transport may not exercise their powers under subsection (1)(a) above except with the consent of the Secretary of State.
- (3) In exercising those powers London Regional Transport may, with the consent of the Secretary of State, provide for employees' share schemes to be established in respect of any of their subsidiaries ; and any such scheme may provide for the transfer of shares without consideration.
- (4) In this section " employees' share scheme " means a scheme for encouraging or facilitating the holding of shares or debentures in a company by or for the benefit of—
  - (a) the bona fide employees or former employees of the company or of a subsidiary of the company ; or
  - (b) the wives, husbands, widows, widowers or children or step-children under the age of eighteen of such employees or former employees.
- (5) London Regional Transport may exercise their powers under section 3 of this Act—
  - (a) to form companies ; and
  - (b) to transfer property, rights and liabilities to companies formed by them;for the purpose of facilitating the eventual disposal under subsection (1) above of any part of their undertaking or of the whole or any part of the undertaking of any of their subsidiaries.
- (6) London Regional Transport may also, for that purpose, make schemes for the transfer, between London Regional Transport and a subsidiary of theirs or between one such subsidiary and another, of any property, rights and liabilities of theirs or of any such subsidiary.
- (7) Section 27 of this Act applies to a scheme under subsection (6) above.

## **10 Power of Secretary of State to require exercise of powers of disposal, etc.**

- (1) The Secretary of State may give directions to London Regional Transport requiring them to exercise their powers under section 9 of this Act, and their powers under section 3 of this Act so far as applicable by virtue of subsection (5) of section 9, for such purposes and in such manner as may be specified in the directions.
- (2) Before giving any direction under this section the Secretary of State shall consult with—
  - (a) London Regional Transport; and
  - (b) in the case of a direction requiring London Regional Transport to exercise their powers under section 9(1) of this Act in relation to any of their subsidiaries, every council to which this paragraph applies in whose area that subsidiary provides public passenger transport services.
- (3) Subsection (2)(b) above applies to county and district councils, the Greater London Council, the councils of the London boroughs, and the Common Council.
- (4) It shall be the duty of London Regional Transport to give effect to any directions given to them by the Secretary of State under this section notwithstanding any of their other duties under this Act.



## **11 Provision of services, etc., for related companies**

- (1) The powers of London Regional Transport under section 3(6) of this Act shall be exercisable in relation to any related company as they are exercisable in relation to any subsidiary of London Regional Transport.
- (2) In this Act " related company " means any company as respects which London Regional Transport have, or at any time have had, a beneficial interest (either directly or through nominees or subsidiaries) in not less than twenty per cent, of its issued ordinary share capital.

### *Financial provisions*

## **12 Government funding of services under control of London Regional Transport**

- (1) The Secretary of State may, with the consent of the Treasury, make grants to London Regional Transport for any purpose and on such terms and conditions as the Secretary of State thinks fit.
- (2) Subject to any such terms or conditions, it shall be the duty of London Regional Transport to apply sums received by way of grants under this section—
  - (a) in aid of capital investment or operating costs in respect of public passenger transport services provided by them or any of their subsidiaries; or
  - (b) in making payments to any other person providing such services in pursuance of any agreement entered into by London Regional Transport by virtue of section 3(2) of this Act in aid of his capital investment or operating costs in respect of those services ;in such manner as appears to them to be appropriate for the purpose of the discharge of their general duty under section 2(1) of this Act.
- (3) Where sums so received are applied by London Regional Transport in making any such payments as are mentioned in subsection (2)(b) above, London Regional Transport shall secure that the relevant agreement—
  - (a) provides for the manner in which those payments are to be applied ; and
  - (b) includes terms appearing to London Regional Transport to be appropriate for securing that those payments are applied in accordance with the agreement.
- (4) In relation to any services, references in subsection (2) above to operating costs in respect of those services include any provision for the depreciation or renewal of assets employed in or in connection with the operation of those services.

## **13 Contribution from London ratepayers to expenditure on grants under section 12**

- (1) The Secretary of State may in respect of any year make a levy on the rating authorities for all rating areas comprised in Greater London for the purpose of recovering a contribution from the ratepayers of Greater London towards his estimated expenditure in that year on grants under section 12 of this Act.
- (2) Subject to the following provisions of this section, for the purpose of raising the levy under this section in respect of any year the Secretary of State may issue a demand for payments in respect of that year to the rating authorities mentioned in subsection (1) above.

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- (3) Any such demand—
- (a) shall require each of those rating authorities to levy, as part, or as an additional item, of the rate, a rate of the required amount in the pound ; and
  - (b) shall state the date or dates on or before which payments are required to be made on account of the rate levied in pursuance of the demand, and the amount of each such payment.
- (4) The reference in subsection (3)(a) above to the required amount in the pound is a reference to such amount in the pound as may be specified by an order made by the Secretary of State in respect of the year to which the demand relates.
- (5) The amount in the pound to be specified in an order made by the Secretary of State under subsection (4) above in respect of any year shall be such as appears to the Secretary of State to be sufficient, if a rate of that amount in the pound is levied by each rating authority mentioned in subsection (1) above in pursuance of a demand issued under subsection (2) above in respect of that year, to raise the appropriate contribution for that year from the ratepayers of Greater London.
- (6) For any year, that contribution is such a proportion, not exceeding a maximum of two-thirds, of the Secretary of State's estimated expenditure in that year on grants under section 12 of this Act, as it appears to the Secretary of State appropriate to recover from the ratepayers of Greater London.
- (7) An order under subsection (4) above shall set out the factors taken into account and the method of calculation employed in determining the amount in the pound specified in the order.
- (8) The Secretary of State may by order substitute for the maximum proportion specified in subsection (6) above (whether as originally enacted or as modified by a previous order under this subsection) such maximum proportion as he thinks fit.
- (9) No order may be made under this section unless a draft of the order has been laid before, and approved by a resolution of, the Commons House of Parliament.
- (10) Any sums received by the Secretary of State in pursuance of a demand issued under subsection (2) above shall be paid into the Consolidated Fund.

#### **14 Provisions supplementary to section 13**

- (1) Subject to subsection (2) below, section 12 of the General Rate Act 1967 (provision as to precepts by certain authorities) shall apply to a demand issued under section 13(2) of this Act by the Secretary of State as it applies to a precept issued by any of the authorities mentioned in section 12(1) of that Act.
- (2) In that section, as applied by this section—
- (a) subsections (1), (2) and (10) shall be omitted ;
  - (b) references to the precepting authority shall be read as references to the Secretary of State;
  - (c) the reference in subsection (4) to that section shall be read as a reference to section 13 of this Act;
  - (d) subsection (4) shall apply as if for the words " 1st February " there were substituted the words " 1st November "; and

- (e) the reference in subsection (11) to subsection (2) of that section shall be read as a reference to section 13(3) of this Act.
- (3) References to precepts and precepting authorities in—
- (a) section 5(1)(e) of that Act (information as to amounts levied for the purposes of rating authorities and precepting authorities to be included in demand notes for rates); and
  - (b) section 14(2) of that Act (information to be supplied by precepting authorities for the purposes of section 5);
- shall be read respectively as including any demand under section 13(2) of this Act and as including, in relation to any such demand, the Secretary of State.
- (4) References to section 12 of that Act—
- (a) in section 14(1) of that Act; and
  - (b) in any rules made under section 113 of that Act for the purposes of section 12 of that Act;
- shall be read as including section 12 as applied by this section; and any such rules shall have effect, in their application by virtue of this section, with any further modifications necessary in consequence of this section.
- (5) Where in accordance with section 12 as applied by this section any amount is payable to the Secretary of State in pursuance of a demand issued to a rating authority under section 13(2) of this Act, and the Secretary of State is satisfied—
- (a) that the rating authority have refused or through wilful neglect or wilful default failed to raise that amount by a rate ; or
  - (b) that, having raised the amount by a rate, the rating authority have refused or through wilful neglect or wilful default failed to pay the amount due under the demand (determined in accordance with section 12 as so applied);
- the provisions of section 15 of that Act (power for securing payment of precepts) shall apply (subject to subsection (6) below) as they apply where the Secretary of State issues a certificate to the effect mentioned in subsection (1) of that section (which makes provision with respect to the amount due under a precept corresponding to the provision made above in this subsection).
- (6) The provisions of section 15 apply with the omission of subsection (2); and in those provisions, as applied by subsection (5) above, references to the precepting authority and to the precept shall be read respectively as references to the Secretary of State and to the demand.
- (7) Section 4 of the Local Government Finance Act 1982 (proceedings in respect of rates and precepts) shall apply to a demand under section 13(2) of this Act as it applies to a precept.
- (8) Expressions used in this section or section 13 of this Act to which a meaning is given for the purposes of the General Rate Act 1967 have the same meaning as in that Act.

## **15 Financial duty**

- (1) London Regional Transport shall so perform their functions as to ensure so far as practicable that the combined revenues of London Regional Transport and any subsidiaries of theirs are not less than sufficient to meet their combined charges properly chargeable to revenue account, taking one accounting year with another.

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- (2) In respect of each accounting year of London Regional Transport, London Regional Transport shall charge to revenue account, and secure that any subsidiary of theirs so charges, all charges which are proper to be made to revenue account, including, in particular, proper provision for the depreciation or renewal of assets.
- (3) The Secretary of State may from time to time, after consultation with London Regional Transport and with the approval of the Treasury, give to London Regional Transport directions—
  - (a) requiring London Regional Transport to allocate to reserve for a particular purpose, or to cause any of their subsidiaries so to allocate, either a specified amount or such amount as London Regional Transport consider adequate;
  - (b) with respect to the transfer of any amount from one reserve to another; or
  - (c) with respect to the application by London Regional Transport or any of their subsidiaries of amounts allocated to reserve.
- (4) Directions under subsection (3) above requiring the allocation of any amount to reserve may provide for it to be so allocated either at a specified time or during the course of a specified period.
- (5) Subject to subsection (6) below, London Regional Transport may, with the consent of the Secretary of State given with the approval of the Treasury, make charges to capital account representing interest on expenditure of a capital nature (including expenditure of a capital nature incurred before the appointed day).
- (6) The interest on expenditure represented by charges made under subsection (5) above must be interest for a period which ends on or before the end of the accounting year of London Regional Transport in which the project or scheme to which the expenditure relates is in the opinion of the Secretary of State completed.
- (7) If in respect of any accounting year there is an excess of the revenues of London Regional Transport over the total charges properly chargeable by them to revenue account, the Secretary of State may, with the approval of the Treasury, require that excess, so far as it appears to him, after consultation with London Regional Transport, to be surplus to the requirements of London Regional Transport, to be paid over to the Secretary of State.
- (8) Any sums received by the Secretary of State under subsection (7) above shall be paid into the Consolidated Fund.
- (9) For the purposes of subsections (1) and (7) above, the revenues of London Regional Transport are to be taken as including any sums received by them by way of grants under section 12 of this Act which are entered in their revenue account; but where any sums so entered are applied in making payments which London Regional Transport have power to make (under that section or otherwise) to a subsidiary of theirs or to any other person, those payments are charges properly chargeable to their revenue account for the purposes of those subsections.
- (10) For the purposes of subsection (1) above, the revenues of any subsidiary of London Regional Transport are to be taken as including any such payments from London Regional Transport as are mentioned in subsection (9) above which are entered in that subsidiary's revenue account.
- (11) A company which would not otherwise be a subsidiary of London Regional Transport shall not be treated as such for the purposes of this section by virtue of section 62 of this Act.

## **16 Control by Secretary of State of financial objectives**

- (1) The Secretary of State may from time to time determine, as respects such period as he may determine, the financial objectives which, having regard to the duty imposed on London Regional Transport by section 15 of this Act, he considers it is reasonable for London Regional Transport to achieve in that period (whether as regards their own business or that of any of their subsidiaries).
- (2) Different determinations may be made by the Secretary of State under this section for different periods and in relation to different assets and different activities of London Regional Transport or (as the case may be) of any of their subsidiaries.
- (3) A determination under this section—
  - (a) may relate to a period beginning before the date on which it is made; and
  - (b) may contain incidental and supplemental provisions.
- (4) A determination under this section in respect of any period may be varied or revoked by a further determination under this section.
- (5) London Regional Transport shall conduct their affairs during any period in respect of which a determination has been made under this section, or (as the case may be) secure that any subsidiary of theirs conducts its affairs, with a view to achieving the financial objectives specified by the determination as for the time being in force.
- (6) The Secretary of State may not make a determination under this section except with the approval of the Treasury and after consultation with London Regional Transport.
- (7) The Secretary of State shall give notice in writing to London Regional Transport of any determination under this section.

## **17 Financial support for subsidiaries, contractors, etc.**

- (1) London Regional Transport may give or lend money to or, with the consent of the Secretary of State, give a guarantee for the benefit of any of their subsidiaries.
- (2) For the purpose of enabling any person (other than a subsidiary of theirs) with whom they have entered into an agreement by virtue of section 3(2) of this Act to carry out that agreement, London Regional Transport may give money to or, with the consent of the Secretary of State, lend money to or give a guarantee for the benefit of that person.
- (3) London Regional Transport may, with the consent of the Secretary of State, and for the purposes of their business, lend money to, or give a guarantee for the benefit of, any person for the purposes of an undertaking carried on by him or, where that person is a body corporate, any undertaking carried on by a subsidiary of that body corporate.
- (4) Subsections (1) and (2) above are without prejudice to any other power of London Regional Transport under this Act to make payments to their subsidiaries or to any person with whom they have entered into an agreement by virtue of section 3(2) of this Act.

## **18 Borrowing powers**

- (1) London Regional Transport may borrow temporarily, by way of overdraft or otherwise, either from the Secretary of State or, with the consent of the Secretary of

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State, from any other person, such sums as may be required for meeting the obligations or discharging the functions of London Regional Transport or any of their subsidiaries.

The aggregate of the amounts outstanding in respect of any temporary loans raised by London Regional Transport under this subsection shall not exceed such limit as may for the time being be imposed for the purposes of this subsection by a direction given to London Regional Transport by the Secretary of State.

- (2) London Regional Transport may borrow, otherwise than by way of temporary loan—
- (a) in sterling from the Secretary of State ; or
  - (b) with the consent of the Secretary of State and the approval of the Treasury, in sterling or a currency other than sterling from a person other than the Secretary of State;

such sums as may be required by London Regional Transport or any of their subsidiaries for all or any of the purposes mentioned in subsection (3) below.

- (3) Those purposes are—
- (a) meeting any expenses incurred by London Regional Transport or any of their subsidiaries in connection with any works the cost of which is chargeable to capital account;
  - (b) the provision of working capital required by London Regional Transport or any such subsidiary ;
  - (c) acquiring an undertaking or part of an undertaking;
  - (d) subscribing for or acquiring securities of a body corporate otherwise than by way of investment;
  - (e) promoting or participating in promoting the formation of a company;
  - (f) the payment of interest charged to capital account under section 15(5) of this Act;
  - (g) repayment of any money borrowed by London Regional Transport or any of their subsidiaries and repayment of any sums issued by the Treasury in fulfilment of a guarantee under section 20 of this Act;
  - (h) making any loan, or fulfilling any guarantee given, in pursuance of the powers conferred on London Regional Transport by this Act;
  - (i) any purpose for which capital moneys are properly applicable, whether or not specified in any of the preceding paragraphs of this subsection.

- (4) London Regional Transport shall not have power to borrow money, otherwise than from a subsidiary of theirs, except in accordance with this section.

- (5) References in this section to borrowing do not include the receipt of money by London Regional Transport solely for the purpose of making payments into or out of a pension fund established for the purposes of a pension scheme in which employees of London Regional Transport or a subsidiary of theirs participate.

## **19 Loans from Secretary of State**

- (1) The Secretary of State may, with the approval of the Treasury, lend to London Regional Transport any sums which London Regional Transport have power to borrow under section 18(1) or (2) of this Act.
- (2) Any loans which the Secretary of State makes under this section shall be repaid to him at such times and by such methods, and interest on any such loans shall be paid

to him at such rates and at such times, as he may, with the approval of the Treasury, from time to time direct.

- (3) The Treasury may issue out of the National Loans Fund to the Secretary of State such sums as are necessary to enable him to make loans under this section.
- (4) Any sums received under subsection (2) above by the Secretary of State shall be paid into the National Loans Fund.
- (5) The Secretary of State shall, as respects each financial year, prepare in such form and manner as the Treasury may direct, an account of—
  - (a) sums issued to him under subsection (3) above ;
  - (b) sums to be paid into the National Loans Fund under subsection (4) above; and
  - (c) the disposal by him of those sums respectively ;and send it to the Comptroller and Auditor General not later than the end of November following the year; and the Comptroller and Auditor General shall examine, certify and report on the account and lay copies of it, together with his report, before each House of Parliament.

## **20 Treasury guarantees**

- (1) The Treasury may guarantee, in such manner and on such conditions as they may think fit, the repayment of the principal of, the payment of interest on and the discharge of any other financial obligation in connection with, any sums which London Regional Transport borrow from a person other than the Secretary of State in exercise of their powers under section 18 of this Act.
- (2) Immediately after a guarantee is given under this section the Treasury shall lay a statement of the guarantee before each House of Parliament; and where any sum is issued for fulfilling a guarantee so given the Treasury shall, as soon as possible after the end of each financial year, beginning with that in which the sum is issued and ending with that in which all liability in respect of the principal of the sum and in respect of interest on the sum is finally discharged, lay before each House of Parliament a statement relating to that sum.
- (3) Any sums required by the Treasury for fulfilling a guarantee under this section shall be charged on and issued out of the Consolidated Fund.
- (4) If any sums are issued in fulfilment of a guarantee given under this section, London Regional Transport shall make to the Treasury, at such times and in such manner as the Treasury may from time to time direct, payments, of such amounts as the Treasury may so direct, in or towards repayment of the sums so issued and payments of interest on what is outstanding for the time being in respect of sums so issued at such rate as the Treasury may so direct.
- (5) Any sums received under subsection (4) above by the Treasury shall be paid into the Consolidated Fund.

## **21 Control over financial commitments of subsidiaries**

London Regional Transport shall exercise their control over their subsidiaries so as to ensure that a subsidiary of theirs does not—

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- (a) except with the consent of the Secretary of State, lend money to or give any guarantee for the benefit of any person other than London Regional Transport or any other subsidiary of London Regional Transport; or
- (b) except with the consent of the Secretary of State and the approval of the Treasury, borrow money from any such person.

## **22 Limit on financial commitments of London Regional Transport group**

- (1) The aggregate amount outstanding, otherwise than by way of interest, in respect of—
- (a) money borrowed by any member of the London Regional Transport group otherwise than from another member of the group;
  - (b) money borrowed by any person other than a member of the London Regional Transport group subject to a guarantee given by a member of the group which applies to repayment of that money ; and
  - (c) sums issued by the Treasury in fulfilment of guarantees under section 20 of this Act;

shall not at any time exceed £100 million or such other sum as the Secretary of State may from time to time by order specify.

- (2) The Secretary of State may, with the approval of the Treasury, from time to time give directions as to the method of calculation to be used, and the date to be taken, in determining for the purposes of subsection (1) above the value in sterling of any amount outstanding in respect of money borrowed in a currency other than sterling.
- (3) In this Act "the London Regional Transport group" means London Regional Transport and their subsidiaries.
- (4) No order shall be made under subsection (1) above unless a draft of the order has been laid before, and approved by a resolution of, the Commons House of Parliament.

## **23 Accounts**

- (1) London Regional Transport shall keep proper accounts and proper records in relation to the accounts.
- (2) London Regional Transport shall prepare in respect of each accounting year—
- (a) a statement of accounts with respect to their own affairs; and
  - (b) such statement or statements of consolidated accounts dealing with the affairs of London Regional Transport and any one or more other members of the London Regional Transport group as the Secretary of State may, with the approval of the Treasury, from time to time direct (whether generally or as respects any particular accounting year of London Regional Transport).
- (3) The statement of accounts prepared in accordance with paragraph (a) of subsection (2) above shall give a true and fair view of the state of affairs and profit or loss of London Regional Transport; and any such statement prepared in accordance with paragraph (b) of that subsection shall give a true and fair view of the state of affairs and profit or loss of the members of the London Regional Transport group dealt with by that statement as a whole.
- (4) Every statement of accounts prepared by London Regional Transport in accordance with this section shall comply with any requirements imposed by directions given by



the Secretary of State, with the approval of the Treasury and after consultation with London Regional Transport, with respect to—

- (a) the information to be contained in the statement;
  - (b) the manner in which that information is to be presented ; and
  - (c) the methods and principles according to which the statement is to be prepared.
- (5) The accounts of London Regional Transport shall be audited by an auditor or auditors appointed in respect of each accounting year by the Secretary of State after consultation with London Regional Transport.
- (6) A person shall not be qualified to be appointed to audit the accounts of London Regional Transport unless he is a member, or is a firm in Scotland in which each of the partners is a member, of one or more of the following bodies—
- The Institute of Chartered Accountants in England and Wales;
  - The Institute of Chartered Accountants of Scotland ;
  - The Association of Certified Accountants;
  - The Institute of Chartered Accountants in Ireland;
  - Any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 161(1)(a) of the Companies Act 1948 by the Secretary of State.
- (7) As soon as the accounts of London Regional Transport have been audited in accordance with this section, London Regional Transport shall send to the Secretary of State—
- (a) a copy of the statement of accounts prepared in accordance with subsection (2) (a) above ; and
  - (b) a copy of any statement of accounts prepared in accordance with subsection (2)(b) above ;
- together with a copy of the report made by the auditor or auditors on that statement or (as the case may be) on each of those statements.
- (8) A copy of every such statement and report shall be included in the annual report of London Regional Transport with respect to the accounting year in question which the Secretary of State is required by section 34 of this Act to lay before each House of Parliament.

## **24 Exclusion of National Audit Act 1983**

London Regional Transport shall not be subject to investigation by the Comptroller and Auditor General under section 7 of the National Audit Act 1983 (examinations into the economy, efficiency and effectiveness with which bodies mainly supported by public funds use their resources in discharging their functions) ; and accordingly, in Schedule 4 to that Act (which lists authorities and bodies exempt from investigation under that section) the words " London Regional Transport" shall be inserted at the appropriate place in alphabetical order.

*Pensions***25 Pensions and orders about pensions**

- (1) Sections 73 and 74 of the 1962 Act (which relate respectively to the powers of the Boards as regards pensions and pension schemes and the power of the Secretary of State to make orders about pensions) shall have effect as if—
- (a) the expression " Board " in each of those sections included London Regional Transport;
  - (b) the references in section 74(1)(a)(ii) to the Commission included references to the London Board ; and
  - (c) the reference in section 74(2)(a) to a pension scheme in which employees of the Commission or a subsidiary of the Commission participated before the date there mentioned included a reference to any pension scheme in which employees of, or of a subsidiary of, the London Board participated before the vesting date within the meaning of the 1969 Act and to any scheme or fund to which subsection (2) below applies in which employees of, or of a subsidiary of, London Regional Transport participated before the appointed day.
- (2) This subsection applies to—
- (a) any pension scheme or pension fund established under section 6(1)(k) of the 1969 Act (powers of Executive with respect to pensions and pension funds); and
  - (b) any superannuation fund maintained by a local authority.
- (3) In section 14(2)(a), as it applies by virtue of subsection (2)(b) above in relation to a superannuation fund, the reference to payments under that fund shall be read as including a reference to payments under any agreement or arrangements with respect to the participation in that fund of employees of, or of a subsidiary of, London Regional Transport made by virtue of section 6(1)(k) of the 1969 Act.
- (4) Without prejudice to section 74(4), in section 74(2)(a) as it applies by virtue of this section, references to employees of London Regional Transport shall be read as including any persons who immediately before the appointed day were participating, as members or former members of the Executive, in any scheme or fund to which subsection (2) above applies.
- (5) Where by virtue of any provision made under section 74, as it applies for the purposes of this section, any member of London Regional Transport—
- (a) continues to participate in any such scheme or fund; or
  - (b) is admitted to participate in any pension scheme established under that section; paragraph 6(1)(b) of Schedule 1 to this Act shall not apply to him.

**26 Pensions for employees of related companies**

- (1) The Secretary of State may make such orders under section 74 of the 1962 Act in relation to related companies as he may make by virtue of section 25 of this Act in relation to subsidiaries of London Regional Transport.
- (2) In exercising with respect to any pension scheme the powers conferred by this section, the Secretary of State shall take into account any representations made by the persons administering the scheme.

- (3) Except on the application of a related company which is not a subsidiary of London Regional Transport, no order shall be made by virtue of this section which has the effect of placing the related company or any of its subsidiaries in any worse position; but for the purposes of this subsection a related company or a subsidiary shall not be regarded as being placed in a worse position because an order provides that any changes in a pension scheme are not to be effected without the consent of the Secretary of State.
- (4) An order such as is mentioned in subsection (3) above which is made otherwise than on the application of the related company shall not be invalid because it does not have the effect of securing that the related company and its subsidiaries are not placed in any worse position, but except in so far as the related company approves the effect of the order the Secretary of State shall as soon as may be make the necessary amending order.
- (5) Subsections (3) and (4) above have effect only in relation to orders made after such day as may be appointed for the purposes of this section by order made by the Secretary of State and different days may be so appointed in relation to different related companies.
- (6) Where an order (the " first order ") applying to a related company has been made under section 74 and at the time when it was made the related company was a subsidiary of London Regional Transport, the order shall not apply to the related company when it ceases to be such a subsidiary except where an order made by virtue of this section (whether before or after the related company ceases to be such a subsidiary) provides for the first order to continue to apply to the related company.
- (7) An order made by virtue of this section may, in particular, authorise London Regional Transport or any subsidiary of London Regional Transport—
  - (a) to transfer liabilities and obligations under a pension scheme in relation to some (but not all) of the participants in that scheme to another pension scheme; and
  - (b) to divide or apportion a pension fund held for the purposes of the first-mentioned scheme between that scheme and the other scheme.

*Miscellaneous and supplemental*

**27 Supplementary provisions with respect to transfer schemes**

- (1) This section applies to any scheme under section 4, 5 or 9(6) of this Act (referred to below in this section as a transfer scheme).
- (2) A transfer scheme may define the property, rights and liabilities to be transferred by the scheme—
  - (a) by specifying the property, rights and liabilities in question ; or
  - (b) by referring to all the property, rights and liabilities comprised in a specified part of the transferor's undertaking;and may contain such supplementary, incidental and consequential provisions as may appear to London Regional Transport to be necessary or expedient.
- (3) Without prejudice to section 47 of this Act and subject to subsection (4) below, a transfer scheme may provide that any functions of the transferor under any statutory provision shall be transferred with the property, rights and liabilities affected by the scheme, if and so far as that statutory provision—

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- (a) relates to the part of the transferor's undertaking, or to property, to be transferred by the scheme ; or
  - (b) authorises the carrying out of works designed to be used in connection with that part of the transferor's undertaking or the acquisition of land for the purpose of carrying out such works.
- (4) Subsection (3) above does not apply to any function of London Regional Transport, or of London Regional Transport or any subsidiary of theirs, under any provision of this Act or any other statutory provision specifically amended by any provision of this Act.
- (5) A transfer scheme may define any functions of the transferor to be transferred by the scheme in accordance with subsection (3) above—
- (a) by specifying the statutory provisions in question ;
  - (b) by referring to all the statutory provisions (except those mentioned in subsection (4) above) which relate to the part of the transferor's undertaking, or to property, to be transferred by the scheme or authorise the carrying out of works designed to be used in connection with that part of the transferor's undertaking or the acquisition of land for the purpose of carrying out such works ; or
  - (c) by referring to all the statutory provisions within paragraph (b) above, but specifying certain excepted provisions.
- (6) A transfer scheme shall not come into force until it has been approved by the Secretary of State or until such date as the Secretary of State may, in giving his approval, specify; and the Secretary of State may approve a transfer scheme either without modifications or with such modifications as, after consultation with London Regional Transport, he thinks fit.
- (7) On the coming into force of a transfer scheme the property, rights and liabilities affected by the scheme shall, subject to subsection (8) below, be transferred and vest in accordance with the scheme.
- (8) Subject to subsection (9) below, Schedule 4 to the 1968 Act (supplementary provisions as to certain transfers of property, rights and liabilities) shall apply to any transfer under subsection (7) above; and subsection (7) above shall have effect subject to the provisions of that Schedule.
- (9) In Schedule 4 as it applies by virtue of subsection (8) above—
- (a) any reference to a transfer by or a vesting by virtue of that Act shall be read as a reference to a transfer by or a vesting by virtue of the transfer scheme in question; and
  - (b) the reference in paragraph 13(5) to the relevant provisions of that Act shall be read as including a reference to the relevant provisions of this Act.

## **28 Provision of extra transport services and facilities**

- (1) London Regional Transport shall have power to enter into and carry out agreements with—
- (a) the council of a London borough ;
  - (b) the Common Council;
  - (c) any urban development corporation established for an area in Greater London under Part XVI of the Local Government, Planning and Land Act 1980 ; or
  - (d) the council of any district;

with respect to the provision or continued provision by London Regional Transport, and the financing, on such terms as may be agreed between the parties, of public passenger transport services and facilities which would not be available apart from any such agreement.

- (2) The council of a London borough, the Common Council and the council of any district shall each have power to enter into and carry out agreements with London Regional Transport with respect to the matters mentioned in subsection (1) above.

## **29 Annual business plans**

- (1) It shall be the duty of London Regional Transport in each accounting year to prepare, and cause to be published in such manner as they think fit, a plan containing their proposals with respect to the conduct of their undertaking and the business of their subsidiaries during the period to which the in each accounting year to prepare, and cause to be published plan relates.
- (2) Subject to subsection (3) below, the plan shall give such information relevant to their proposals, and deal with such other matters, as London Regional Transport consider appropriate for presenting their proposals in the context of the past and current performance and policies of themselves and their subsidiaries.
- (3) In preparing the plan London Regional Transport shall have regard to any guidance given by the Secretary of State as to the form and content of the plan and the period to which it is to relate.

## **30 Information and publicity with respect to plans as to services and fares**

- (1) It shall be the duty of London Regional Transport in each year to inform the local authorities concerned and the Passengers' Committee of their current plans with respect to—
- (a) the general level of transport services and facilities to be provided by them, by subsidiaries of theirs or by other persons in pursuance of any agreement entered into by them by virtue of section 3(2) of this Act, and the general structure of routes of those services; and
  - (b) the general level and structure of the fares to be charged for those services, and the general level of charges to be made for those facilities.
- (2) For the purposes of subsection (1) above, the local authorities concerned are—
- (a) the Greater London Council;
  - (b) the councils of the London boroughs ;
  - (c) the Common Council; and
  - (d) the council of any county or district any part of whose area appears to London Regional Transport to be affected to a significant degree by the plans mentioned in that subsection.
- (3) London Regional Transport shall cause particulars of the general level and structure of the fares referred to in subsection (1)(b) above as they apply for the time being to be published in such manner as they think fit.

**31 Duty of Railways Board to consult London Regional Transport as to fares and services in London**

The Railways Board shall in each year consult with London Regional Transport as to—

- (a) the general level and structure of the fares to be charged for the carriage of passengers by the Board's railways on journeys wholly within Greater London ; and
- (b) the general level of the provision to be made for such journeys.

**32 Further powers of Secretary of State**

- (1) In addition to any power of the Secretary of State under any other provision of this Act to give directions to London Regional Transport with respect to any matter, the Secretary of State may, after consultation with London Regional Transport, give to London Regional Transport directions of a general character as to the exercise and performance by them of their functions (including the exercise of rights conferred by the holding of interests in companies).
- (2) London Regional Transport shall, in framing and carrying out proposals involving substantial expenditure of a capital nature by London Regional Transport or a subsidiary of theirs, act on lines settled from time to time with the approval of the Secretary of State.
- (3) London Regional Transport shall, in formulating policies and plans for the general conduct of their undertaking and the businesses of their subsidiaries, act on lines settled from time to time with the approval of the Secretary of State.
- (4) If it appears to the Secretary of State to be desirable to do so for the purpose of obtaining information not otherwise available, he may at any time cause a review to be carried out (whether by London Regional Transport or by any persons appointed by him for the purpose) of the organisation of the undertaking of London Regional Transport and the businesses of their subsidiaries, with a view to determining whether any occasion arises for the exercise by him of any of his powers under this Part of this Act in relation to London Regional Transport.
- (5) Without prejudice to the preceding provisions of this section or section 10 of this Act, but subject to subsection (6) below, the Secretary of State may, after consultation with London Regional Transport, direct London Regional Transport to take, or to exercise their control over any subsidiary of theirs so as to require that subsidiary to take, any of the following actions, that is to say—
  - (a) to discontinue any activities ;
  - (b) to dispose of any assets ;
  - (c) to call in any loan ;
  - (d) to exercise any power London Regional Transport or (as the case may be) that subsidiary may possess to revoke any guarantee.
- (6) The Secretary of State shall not give any direction under subsection (5) above unless he is satisfied that the carrying on of the activities or the retention of the assets or the continuance of the loan or guarantee (as the case may be) is unnecessary for the proper discharge by London Regional Transport (whether directly or by acting through the subsidiary in question) of their duties under this Act.

- (7) Without prejudice to the preceding provisions of this section or section 10 of this Act, the Secretary of State may give directions to London Regional Transport requiring them to exercise their powers under section 3 of this Act—
- (a) to form companies; and
  - (b) to transfer property, rights and liabilities to companies formed by them;
- for such purposes (other than the purpose of facilitating the eventual disposal under section 9 of this Act of any part of their undertaking or of the whole or any part of the undertaking of any of their subsidiaries) and in such manner as may be specified in the directions.
- (8) If it appears to the Secretary of State that there is any action which London Regional Transport ought in the interests of national defence—
- (a) to have power to take ; or
  - (b) to be required to take ;
- and that it would be consistent with the duties imposed on London Regional Transport by this Act, he may authorise or direct London Regional Transport to take that action.
- (9) No limitation on the powers of London Regional Transport contained in this Act or in any local enactment shall prevent London Regional Transport from taking any action they are authorised or required to take by a direction under subsection (8) above.
- (10) London Regional Transport shall furnish the Secretary of State with such information as he may specify in writing and London Regional Transport have or can reasonably be expected to obtain with respect to such matters relating to—
- (a) London Regional Transport or any subsidiary of theirs; or
  - (b) their activities (past, present or future), plans or property ;
- as the Secretary of State may so specify.
- (11) Information required under subsection (10) above shall be furnished in such manner and at such times as the Secretary of State may specify in writing.

### **33 Further provision with respect to control of subsidiaries**

London Regional Transport shall exercise their control over their subsidiaries so as to ensure that a subsidiary of theirs—

- (a) does not engage in activities in which London Regional Transport have no power to engage (including activities in which London Regional Transport have no power to engage because the consent of the Secretary of State has not been obtained);
- (b) does not do anything which the Secretary of State has directed London Regional Transport not to do; and
- (c) does not, except with the consent of the Secretary of State, raise money by the issue of shares or stock to any person other than London Regional Transport or any other subsidiary of London Regional Transport.

### **34 Annual report**

- (1) Without prejudice to section 32(10) of this Act, London Regional Transport shall, as soon as possible after the end of each accounting year of London Regional Transport, make to the Secretary of State a report on the exercise and performance by them of their functions during that year.

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- (2) The report shall deal with the activities of any subsidiaries of London Regional Transport, so far as relevant to the performance by London Regional Transport of their functions during the year in question.
- (3) The report made under this section in respect of any accounting year of London Regional Transport shall—
  - (a) include such information as the Secretary of State may from time to time specify in writing with respect to any matter the report is required to deal with by virtue of subsection (1) or (2) above ;
  - (b) include a statement of any action taken during that year by London Regional Transport and any subsidiaries of theirs in relation to, or for the purpose of securing, provision for disabled persons in the public passenger transport services and facilities provided for Greater London (whether by London Regional Transport or any subsidiary of theirs or by any other person);
  - (c) include a statement of any action taken during that year by London Regional Transport and any subsidiaries of theirs for the purpose of co-ordinating the public passenger transport services provided by, or by any subsidiary of, the Railways Board and those provided by London Regional Transport, any subsidiary of London Regional Transport, or any other person under an agreement entered into by London Regional Transport by virtue of section 3(2) of this Act;
  - (d) set out any directions given by the Secretary of State to London Regional Transport under this Act during that year, unless the Secretary of State has notified to London Regional Transport his opinion that it is against the interests of national security to do so; and
  - (e) include a statement of the salaries or fees and of the emoluments of each of the members of London Regional Transport during that year.
- (4) The Secretary of State shall lay a copy of every report under this section before each House of Parliament.

### **35 Inclusion in annual report of information with respect to contract and express carriage business**

- (1) This section applies to any business carried on by London Regional Transport or any subsidiary of theirs which is a business of providing services for the carriage of passengers by road which do not require authorisation by a road service licence and would not require such authorisation even apart from the exemption given to London Regional Transport and any subsidiaries of theirs by section 43(1) of this Act.
- (2) In the case of any business to which this section applies, the annual report of London Regional Transport under section 34 of this Act for any accounting year shall include a statement of—
  - (a) the amount, as determined by London Regional Transport, of the turnover of London Regional Transport or (as the case may be) of the subsidiary in question for that year in respect of that business ;
  - (b) the extent or approximate extent (expressed in either case in monetary terms) to which, as so determined, the carrying on of that business contributed to, or restricted, the profit or loss of London Regional Transport or of that subsidiary for that year before taxation; and
  - (c) the method by which any determination for the purposes of paragraph (a) or (b) above was arrived at.



## PART II

### THE LONDON REGIONAL RAIL PASSENGER NETWORK

#### **36 Provision for additional functions of London Regional Transport as to railway services**

- (1) The Secretary of State may by order provide that sections 37 and 38 of this Act shall apply, as from such day as may be specified in the order (referred to below in this section as the operative date), for the purpose of conferring or imposing on London Regional Transport certain functions in relation to the provision by the Railways Board of railway passenger services and in relation to services so provided.
- (2) Those sections are to be read, accordingly, as applying only as from the operative date.
- (3) In those sections, references to the London regional rail passenger network are references to such railway passenger services as may be determined from time to time by the Secretary of State, after consultation with London Regional Transport and the Railways Board.
- (4) An order under subsection (1) above may contain such supplementary, incidental and consequential provisions as may appear to the Secretary of State to be necessary or expedient, including provisions modifying sections 37 and 38 of this Act or any other enactment (whether contained in this Act or not).
- (5) Any order under subsection (1) above shall cease to have effect (without prejudice to its earlier revocation) at the end of the accounting year of London Regional Transport current at the expiry of the period of eight years beginning with the operative date, unless before the end of that period of eight years it is confirmed by order made by the Secretary of State for the purposes of this subsection.
- (6) An order under subsection (1) above specifying a day for the application of sections 37 and 38 of this Act may not be varied before the end of the period of eight years mentioned in subsection (5) above, except with respect to any such provisions as are mentioned in subsection (4) above; and no order under subsection (1) above may be varied or revoked after it has been confirmed in accordance with subsection (5) above.
- (7) No order shall be made—
  - (a) under subsection (1) above specifying a day for the application of sections 37 and 38 of this Act or revoking a previous order under that subsection specifying such a day; or
  - (b) confirming any order under that subsection for the purposes of subsection (5) above ;unless a draft of the order has been laid before, and approved by resolution of, each House of Parliament.
- (8) An order under subsection (1) above varying a previous order under that subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### **37 Responsibility for London regional rail passenger network**

- (1) London Regional Transport shall be the competent authority of Great Britain in relation to the Railways Board for the purposes of the relevant transport regulations

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within the meaning of the Railways Act 1974, so far as relates to the operation of any services for the time being comprised in the London regional rail passenger network; and, accordingly, for subsections (1) to (3) of section 3 of that Act (functions of the Secretary of State in relation to the Railways Board under those regulations) there shall be substituted the following subsections—

“(1) The competent authority of Great Britain in relation to the Railways Board for the purposes of the relevant transport regulations shall be—

- (a) in relation to any services comprised in the railway passenger system of the Board other than services within paragraph (b) below, the Secretary of State ; and
- (b) in relation to any services for the time being comprised in the London regional rail passenger net' work, London Regional Transport;

and references below in this section, in relation to the competent authority, to services within the competence of that authority, are references to the services mentioned in paragraph (a) or (b) above (as the case may require).

(2) The competent authority may give directions to the Board imposing on them obligations of a general nature with respect to the operation of the whole or any part of their railway passenger system, so far as relates to services within the competence of that authority or any matter affecting those services.

(3) It shall fall to the competent authority to make any payments which are required to be made to the Board by any provisions of the relevant transport regulations in respect of services within the competence of that authority or any matter affecting those services, and that authority may, subject to and in accordance with the provisions of those regulations, determine the manner of calculating, and the conditions applicable to, those payments.

(3A) Any direction given under subsection (2) above may be varied or revoked, so far as relates to any services or any matter affecting any services, by a subsequent direction so given by the competent authority in relation to those services (whether or not that authority was the authority which gave the earlier direction).”.

(2) In subsections (4) and (6) of that section, for the words "subsection (1) above" there shall be substituted the words " subsection (2) above ".

(3) In section 4 of that Act (the Board's duties in relation to policies, plans and information)—

(a) after subsection (2) there shall be inserted the following subsection—

“(2A) In relation to—

- (a) expenditure in respect of any services for the time being comprised in the London regional rail passenger network ; and
- (b) policies and plans for the conduct of the undertaking of the Board and the businesses of their subsidiaries, so far as relates to any services so comprised ;

subsections (1) and (2) above shall apply with the substitution, for references to the Secretary of State, of references to London Regional Transport.”;

(b) after subsection (3) there shall be inserted the following subsection—

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- “(3A) In relation to information with respect to any services for the time being comprised in the London regional rail passenger network, references in subsection (3) above to the Secretary of State shall include London Regional Transport.”; and
- (c) in subsection (5) the following paragraph shall be inserted after paragraph (a) —
- “(aa) set out any directions given to the Board under section 3(2) above during that year; " and in paragraph (b), for the words from " section 3 of " to " above " there shall be substituted the words " or section 3 of the Transport Act 1981”.
- (4) Any direction given by the Secretary of State under section 3(1) of that Act before the operative date within the meaning of section 36 of this Act shall be treated for the purposes of sections 3 and 4 of that Act, as they have effect by virtue of this section, as given under section 3(2) as substituted by subsection (1) above.
- (5) In section 10(2) of that Act (interpretation), after the definition of " the 1968 Act" there shall be inserted the following definition—
- “ London regional rail passenger network ' has the meaning given by section 36(3) of the London Regional Transport Act 1984 ;”.

### **38 Application and modification of Part I**

- (1) In exercising their functions under sections 3 and 4 of the Railways Act 1974, as those sections apply by virtue of section 37 of this Act, London Regional Transport shall have due regard to their general duty under section 2(1) of this Act with respect to the provision of public passenger transport services for Greater London.
- (2) Section 2(3) and (4) of this Act shall not apply, but London Regional Transport and the Railways Board shall continue to have power to enter into such arrangements as are mentioned in section 2(4) where those arrangements appear to London Regional Transport to be appropriate for the discharge of their general duty under section 2(1) of this Act in relation to the provision by the Railways Board of services for the time being comprised in the London regional rail passenger network.
- (3) Any statement prepared by London Regional Transport under section 7 of this Act shall deal with—
- (a) any current or proposed arrangements between London Regional Transport and the Railways Board under subsection (2) above; and
- (b) any action London Regional Transport have taken or propose to take in exercise of their powers under section 4(1) and (2) of the Railways Act 1974 (settlement of guidelines as to capital expenditure, policies and plans of Railways Board), so far as relevant to carrying into effect the policies mentioned in section 7(1) of this Act during the period to which the statement relates.
- (4) London Regional Transport may apply sums received by way of grants under section 12 of this Act in making any payments which fall to be made by them to the Railways Board in accordance with section 3(3) of that Act.
- (5) The duty of London Regional Transport under section 30(1) of this Act to inform the persons there mentioned of their current plans with respect to the general level of transport services to be provided as mentioned in paragraph (a) of that subsection shall

apply to their current plans with respect to the general level of provision of services for the time being comprised in the London regional rail passenger network.

- (6) Section 31 of this Act shall apply in relation to any journeys, whether wholly within Greater London or not, by way of services for the time being comprised in that network; and the Railways Board shall inform London Regional Transport in advance of any proposals for changes in substance in any fares to be charged for the carriage of passengers by the Board's railways on such journeys or in the level of provision to be made for such journeys.

### **39 Expiry of Part II**

This Part of this Act shall cease to have effect—

- (a) if no order is made under section 36(1) of this Act before the end of the period of eight years beginning with the date on which this Act is passed, at the end of that period;
- (b) if an order made under section 36(1) specifying a day for the application of sections 37 and 38 of this Act ceases to have effect by virtue of subsection (5) of that section, or is revoked before the end of the period of eight years mentioned in that subsection, on the date when that order ceases to have effect or (as the case may be) is revoked.

## **PART III**

### MISCELLANEOUS AND GENERAL

#### *Consultation with passengers*

### **40 The London Regional Passengers' Committee**

- (1) There shall be established in accordance with this section a body to be known as the London Regional Passengers' Committee.
- (2) The Committee shall consist of a chairman appointed by the Secretary of State, and such other members (not exceeding thirty) as the Secretary of State may appoint after consultation with such bodies as appear to him to be representative of the interests of persons likely to be significantly concerned with matters within the competence of the Committee.
- (3) The Secretary of State may appoint one or more members of the Committee to be deputy chairman or (as the case may be) deputy chairmen of the Committee.
- (4) Subject to subsection (6) below, it shall be the duty of the Committee to consider and, where it appears to them to be desirable, make recommendations with respect to any matter affecting the services and facilities provided—
  - (a) by London Regional Transport or any subsidiary of theirs; or
  - (b) by any other person in pursuance of an agreement entered into by London Regional Transport by virtue of section 3(2) of this Act; or
  - (c) by the Railways Board or any subsidiary of theirs;
 which falls to be considered by the Committee in accordance with subsection (5) below.

- (5) A matter falls to be considered by the Committee if—
- (a) it has been the subject of representations (other than representations appearing to the Committee to be frivolous) made to the Committee by or on behalf of users of any services or facilities so provided ; or
  - (b) it has been referred to the Committee by the Secretary of State, by London Regional Transport or by the Railways Board; or
  - (c) it otherwise appears to the Committee to be a matter to which consideration ought to be given ;
- and, in the case of any matter affecting services or facilities provided by the Railways Board or any subsidiary of theirs, those services or facilities are within the competence of the Committee by virtue of section 41(7) of this Act.
- (6) Without prejudice to section 41 of this Act, the Committee may not by virtue of subsection (4) above consider the charges made for any service or facility or any question relating to—
- (a) the discontinuance by London Regional Transport or any subsidiary of theirs of all railway passenger services from any station or on any line on their railways ; or
  - (b) the discontinuance or reduction of railway services provided by the Railways Board or any subsidiary of theirs.
- (7) Copies of the minutes, conclusions and recommendations of the Committee with respect to any matter shall be sent—
- (a) in the case of any matter affecting services and facilities provided as mentioned in subsection (4)(a) or (b) above, to London Regional Transport;
  - (b) in the case of any matter affecting services and facilities provided as mentioned in subsection (4)(c) above, to the Railways Board ; and
  - (c) in the case of any matter referred to the Committee by the Secretary of State, to the Secretary of State.
- (8) Where the Secretary of State receives a recommendation under subsection (7) above he may give to London Regional Transport or (as the case may require) to the Railways Board such directions as he thinks fit with respect to matters dealt with in the recommendation which concern them or a subsidiary of theirs; but before giving any such direction to London Regional Transport the Secretary of State shall consult with London Regional Transport.
- (9) On reaching a decision with respect to matters dealt with in any recommendation received by them or him under subsection (7) above, London Regional Transport, the Railways Board or (as the case may be) the Secretary of State shall give notice in writing of that decision to the Passengers' Committee.
- (10) The Committee shall make an annual report to the Secretary of State, and the Secretary of State shall lay a copy of the report before each House of Parliament.
- (11) A company which would not otherwise be a subsidiary of London Regional Transport or the Railways Board shall not be treated as such for the purposes of this section by virtue of section 62 of this Act.
- (12) Schedule 3 to this Act has effect with respect to the Committee.

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#### **41 Operation of the Passengers' Committee as an Area Transport Users' Consultative Committee**

- (1) The Passengers' Committee shall be treated as one of the Area Transport Users' Consultative Committees (referred to below in this section as " Area Committees ") for the purposes of the provisions of section 56 of the 1962 Act mentioned in subsection (2) below—
- (a) in substitution for the Area Committee whose area comprises Greater London immediately before the appointed day; and
  - (b) subject to any directions given by the Secretary of State under subsection (1) (b) of that section as it applies by virtue of subsection (2)(a) below, for the same area as the area of that Area Committee at that time ;
- and that Area Committee shall accordingly cease to exist, and the persons who are for the time being its members shall cease to hold office, on the appointed day.
- (2) The provisions of section 56 referred to in subsection (1) above are—
- (a) subsection (1)(b) (Area Committees to be established for all parts of Great Britain);
  - (b) subsection (2), so far as relates to the constitution of the Central Transport Consultative Committee for Great Britain (referred to below in this section as the " Central Committee ") and the attendance of a chairman of an Area Committee at a meeting of the Central Committee ; and
  - (c) subsections (7) to (10) and (13) (which relate to railway closures);
- and the power of the Passengers' Committee under paragraph 9(4) of Schedule 3 to this Act to determine their own procedure is subject to subsection (13) of that section as applied by this section.
- (3) Without prejudice to section 40(7) of this Act, copies of the minutes, conclusions and recommendations of the Passengers' Committee with respect to any matter affecting services or facilities provided by the Railways Board or any subsidiary of theirs shall be sent to the Central Committee.
- (4) The Passengers' Committee shall be treated as an Area Committee within the meaning of section 56 of the 1962 Act for the purposes of section 54(5) of the 1968 Act (reference to an Area Committee of any matter affecting the provision of alternative services in case of a railway closure).
- (5) The Central Committee may from time to time make general recommendations to the Passengers' Committee with respect to any matter affecting the functions of the Committee—
- (a) under section 40 of this Act, so far as relates to services or facilities provided by the Railways Board or any subsidiary of theirs; or
  - (b) under section 56 of the 1962 Act or section 54(5) of the 1968 Act;
- or the procedure of the Committee in exercising or performing any of those functions.
- (6) The annual report of the Central Committee under section 56(15) of the 1962 Act shall not deal with the exercise and performance of the functions of the Passengers' Committee except in so far as relates to matters affecting services or facilities provided by the Railways Board or any subsidiary of theirs.
- (7) Services or facilities so provided are within the competence of the Passengers' Committee for the purposes of section 40 of this Act if they are provided within the

area for which the Passengers' Committee act as an Area Committee by virtue of this section.

*Railway closures in and around Greater London*

**42 Application of provisions of the 1962 and 1968 Acts relating to railway closures**

- (1) The former functions of the London Board in relation to railway closures continue to be exercisable by London Regional Transport; and the following provisions of this section have effect for the purpose of—
  - (a) extending those functions to any subsidiary of London Regional Transport; and
  - (b) making amendments consequential on the provisions of this Act in the provisions of the 1962 and 1968 Acts relating to such closures.
- (2) In section 54(1) of the 1962 Act (advance information about railway and shipping closures), for the references to the Executive substituted by paragraph 1 of Schedule 3 to the 1969 Act for express references to the London Board there shall be substituted references to the appropriate authority in relation to the services in question.
- (3) In section 56(7) of that Act and section 54(1) of the 1968 Act (provisions with respect to proposals for railway closures), for the express references to the London Board which fell by virtue of section 25(1) of the 1969 Act to be construed as references to the Executive there shall be substituted references to the appropriate authority in relation to the services in question.
- (4) in section 54(5)(d) of the 1968 Act (power of Secretary of State to give directions in connection with a railway closure which was exercisable before the coming into operation of the 1969 Act in relation to the London Board), after the words "the Railways Board or" there shall be inserted the words "(as the case may be) to London Regional Transport or, in relation to services provided by a subsidiary of London Regional Transport, to that subsidiary, and".
- (5) In consequence of the amendments made above in this section, references (however expressed) in section 56(7) to (9) and (13) of the 1962 Act and in section 54(1) of the 1968 Act to a Board shall be read, in relation to railway services provided by London Regional Transport or any subsidiary of theirs, as references to the appropriate authority in relation to the services in question.
- (6) For the purposes of this section, the appropriate authority in relation to any railway services is—
  - (a) where those services are provided by London Regional Transport, London Regional Transport; and
  - (b) where those services are provided by a subsidiary of London Regional Transport, that subsidiary.

*Regulation of services by public service vehicles in and around London*

**43 Regulation of London bus services under control of London Regional Transport**

- (1) A road service licence is not required for the provision—
  - (a) by London Regional Transport or any subsidiary of theirs; or

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(b) by any other person in pursuance of any agreement entered into by London Regional Transport by virtue of section 3(2) of this Act;  
of any bus service operated wholly as a London bus service.

(2) Where a road service licence is granted in respect of a bus service—

- (a) provided as mentioned in paragraph (a) or (b) of subsection (1) above; but
- (b) operated in part only as a London bus service ;

no condition shall be attached to the licence with respect to the carriage of passengers who are both taken up and set down in Greater London.

(3) Where—

- (a) London Regional Transport or any subsidiary of theirs propose to provide a new bus service which is to be operated wholly or in part as a London bus service or to vary a bus service currently provided by them which is being so operated ; or
- (b) London Regional Transport propose to enter into an agreement by virtue of section 3(2) of this Act for the provision of such a new bus service by any other person or to agree to a variation in any bus service currently provided in pursuance of any such agreement which is being so operated ;

then, before deciding on, or on the provisions to be contained in any such agreement with respect to, or on any variation affecting, any relevant aspects of that service London Regional Transport shall, so far as the service is or is to be provided in Greater London, consult with the commissioner or commissioners of police concerned, with the local authorities affected, with the Passengers' Committee and with any other person they think fit.

(4) In subsection (3) above—

- (a) references to a new bus service are references to a bus service which has not been provided continuously since before the appointed day (disregarding, in the case of a bus service operated during certain periods of the year only, any period other than one during which the service is due to be operated);
- (b) the reference to relevant aspects of the service is a reference to the route of the service, a terminal point, a point at which passengers may or may not be taken up or set down, or a place at which, or street by the use of which, vehicles used for the service may turn at a terminal point; and
- (c) "commissioner of police" means, in relation to the metropolitan police district, the Commissioner of Police of the Metropolis and, in relation to the City of London, the Commissioner of Police for the City of London;

and for the purposes of that subsection the local authorities affected are the Greater London Council and any of the following councils, that is to say, the councils of the London boroughs and the Common Council, in whose area any part of the route in question or (as the case may be) the point, place or street in question is situated.

(5) Where—

- (a) London Regional Transport or any subsidiary of theirs propose to discontinue a bus service currently provided by them which is being operated wholly or in part as a London bus service ; or
- (b) London Regional Transport propose not to renew any agreement entered into by them by virtue of section 3(2) of this Act for the provision by any other person of any bus service which is being so operated or to agree to the



discontinuance of any such bus service currently provided in pursuance of any such agreement;

then, before any decision is taken to that effect, London Regional Transport shall, so far as the service is provided in Greater London, consult with the Greater London Council, with any of the following councils, that is to say, the councils of the London boroughs and the Common Council, in whose area any part of the route of the service is situated, with the Passengers' Committee and with any other person they think fit.

- (6) Where an agreement entered into by London Regional Transport by virtue of section 3(2) of this Act for the provision of a bus service relates to such a service part only of which is operated as a London bus service, any provision contained in that agreement with respect to the carriage of passengers other than those who are both taken up and set down in Greater London shall be of no effect if or so far as it is inconsistent with any condition for the time being attached to any road service licence under which the bus service is provided.

- (7) In this section—

" bus service " means a service for the carriage of passengers by road for which a road service licence is required, or would but for subsection (1) above be required, other than an excursion or tour within the meaning of the Public Passenger Vehicles Act 1981; and

" London bus service " means a bus service which is, or so far as it is, a service on which passengers may be taken up and set down at different places within Greater London, whether or not any passengers on that service may also be taken up or set down outside Greater London.

#### **44 Provisions consequential on section 43**

- (1) The provisions of the Public Passenger Vehicles Act 1981 are subject to section 43 of this Act, but, except as provided by that section, apply for regulating the provision of stage carriage services (within the meaning of that Act) within Greater London as well as elsewhere.
- (2) The following provisions of this section have effect for the purpose of making amendments of that Act consequential on section 43 of this Act (which supersedes provisions of the 1969 Act which, in effect, gave control over all such stage carriage services in Greater London to the Executive).
- (3) In subsection (1) of section 30 (road service licences required for operation of stage carriage services), for the words " section 23 of the Transport (London) Act 1969 " there shall be substituted the words " section 43 of the London Regional Transport Act 1984 ".
- (4) In section 35 (grant of road service licences for certain excursions or tours) for subsection (1)(a)(ii) there shall be substituted the following sub-paragraph—  
“(ii) any London bus service within the meaning of section 43 of the London Regional Transport Act 1984 which, by virtue of subsection (1) of that section, does not require a road service licence;”.
- (5) In subsection (2) of section 42 (use of certain vehicles by educational and other bodies) the words from "and section 23(2) " to " services) " (which refer to the provisions of the 1969 Act mentioned in subsection (2) above) shall be omitted.

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- (6) In section 45(5) (which makes special provision with respect to community bus services provided in whole or in part in Greater London)—
- (a) for the words from " section 23 " to " of a road service licence) " there shall be substituted the words " section 43 of the London Regional Transport Act 1984 (which exempts London bus services under the control of London Regional Transport from the requirement of a road service licence) "; and
  - (b) the words from " but where " to the end of the subsection shall be omitted.

#### **45 Excursions and tours with stopping places in Greater London**

- (1) The following section shall be inserted in the Public Passenger Vehicles Act 1981 immediately after section 35 (grant of road service licences for certain excursions or tours)—

##### **“35A Excursions and tours with stopping places in Greater London.**

- (1) If, in the case of any application for a road service licence made to the traffic commissioners for the Metropolitan Traffic Area—
  - (a) the traffic commissioners are satisfied as mentioned in section 35(1) of this Act; and
  - (b) they are also satisfied that the proposed service involves the use of any place in Greater London as a stopping place ;
 the following provisions of this section shall apply in relation to the application and to any licence granted on it instead of section 35(1).
- (2) In this section " stopping place" means, in relation to any service, a point at which passengers are taken up or set down in the course of that service.
- (3) Section 33 of this Act shall not apply in relation to any application for a road service licence to which this section applies or in relation to any licence granted on any such application, and sections 31 and 32 of this Act shall so apply subject to the modifications provided by the following provisions of this section.
- (4) The interests of the public falling to be considered under any provision of section 31 or 32, as that provision applies by virtue of this section, shall be confined to the interests of the public in securing that only places which are suitable for use as such are used as stopping places for the service in question in Greater London.
 

The reference above in this subsection to the service in question is a reference to the proposed service or the service provided under any road service licence granted on an application to which this section applies (as the case may require).
- (5) For the purposes of this section a place is to be regarded as not being suitable for use as a stopping place for any service if the traffic commissioners are satisfied that its use as such would be prejudicial to the safety or convenience of the public.
- (6) Section 31 shall apply with the omission of—
  - (a) paragraphs (a) and (b) of subsection (3); and
  - (b) subsection (4);

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and subsection (3)(c) of that section shall apply only in relation to objections or representations made by the commissioner or commissioners of police concerned or by any of the local authorities affected.

- (7) In subsection (6) above " commissioner of police " means—
- (a) in relation to the metropolitan police district, the commissioner of police of the metropolis ; and
  - (b) in relation to the City of London, the Commissioner of Police for the City of London;

and for the purposes of that subsection the local authorities affected are the Greater London Council and any of the following councils, that is to say, the councils of the London boroughs and the Common Council of the City of London, in whose area any stopping place for the proposed service is situated.

- (8) Section 32 shall apply with the omission of subsections (1) and (2), but the traffic commissioners in granting a licence on any application to which this section applies may attach to the licence such conditions of a description within section 32(1)(c) as they think fit, having regard to any objections or other representations that fall to be considered in relation to that application by virtue of section 31(3)(c) as it applies by virtue of this section, for securing that only places which are suitable for use as such are used as stopping places for the proposed service in Greater London.

- (9) Any condition attached to a road service licence under subsection (8) above shall be treated for the purposes of the references in sections 30(7) and 32(5) of this Act to a condition attached under section 32 as having been attached to the licence under that section.

- (10) Subsections (2) and (3) of section 35 of this Act shall apply in relation to a road service licence granted in pursuance of section 31, as section 31 applies by virtue of this section, as those subsections apply in relation to a road service licence granted in pursuance of section 35.”

- (2) In section 35(1) of that Act, at the beginning there shall be inserted the words " Subject to section 35A of this Act ".

- (3) In section 54(4) of that Act (procedure of the traffic commissioners in certain cases)—

- (a) in paragraph (a), after the word " Act" there shall be inserted the words " or (as the case may be) as mentioned in section 35(1) of this Act and also as mentioned in section 35A(1)(b) of this Act "; and
- (b) in paragraph (b), for the words " so satisfied" there shall be substituted the words " satisfied as mentioned in section 34(1) or 35(1), other than an application in the case of which they have determined that they are also satisfied as mentioned in section 35A(1)(b) ".

- (4) Nothing in this section shall apply in relation to an application for a road service licence made before this section comes into force.

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*Status: This is the original version (as it was originally enacted).*

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*Transfers to and from the Railways Board, etc.*

**46 Schemes for transfers between London Regional Transport group and Railways Board group**

- (1) London Regional Transport and the Railways Board, acting jointly, may make schemes for the transfer, between any member of the London Regional Transport group and any member of the Railways Board group, of—
- (a) any specified property, rights or liabilities ; or
  - (b) all property, rights and liabilities comprised in a specified part of the transferor's undertaking ;

and any such scheme may contain such supplementary, incidental and consequential provisions as may appear to London Regional Transport and the Railways Board to be necessary or expedient.

- (2) A scheme under this section shall not come into force until it has been approved by the Secretary of State or until such date as the Secretary of State may, in giving his approval, specify; and (subject to subsection (3) below) the Secretary of State may approve a scheme either without modifications or with such modifications as, after consultation with London Regional Transport and with the Railways Board, he thinks fit.
- (3) Without prejudice to his powers under section 47 of this Act, the Secretary of State shall not approve a scheme under this section which makes provision for a transfer of any property, rights or liabilities which it appears to him would materially prejudice the proper discharge by London Regional Transport or the Railways Board of their respective functions.
- (4) On the coming into force of a scheme under this section the property, rights and liabilities in question shall (subject to subsection (6) below) be transferred and vest in accordance with the scheme.
- (5) Subject to any order under section 74 of the 1962 Act (power of Secretary of State to make orders about pensions in the nationalised transport industry) which takes effect on or at any time after the transfer date for the purposes of any transfer under subsection (4) above, any person who, on that date—
- (a) ceases to be employed by any member of one or other of the London Regional Transport group and the Railways Board group and becomes employed by a member of the other group ; or
  - (b) is employed by a company which immediately before that date was a subsidiary of London Regional Transport or (as the case may be) of the Railways Board but on that date becomes a subsidiary of the other of those authorities;
- shall not in consequence cease to be eligible to participate in any pension scheme in which he was a participant immediately before that transfer date.
- (6) Subject to subsection (7) below, Schedule 4 to the 1968 Act (supplementary provisions as to certain transfers of property, rights and liabilities) shall apply to any transfer under subsection (4) above; and subsection (4) above shall have effect subject to the provisions of that Schedule.
- (7) In Schedule 4 as it applies by virtue of subsection (6) above—

- (a) any reference to a transfer by or a vesting by virtue of that Act shall be read as a reference to a transfer by or vesting by virtue of the scheme in question; and
  - (b) the reference in paragraph 13(5) to the relevant provisions of that Act shall be read as including a reference to the relevant provisions of this Act.
- (8) In this section and section 47 of this Act, references to the Railways Board group are references to the Railways Board and their subsidiaries.

**47 Orders for transfer of functions, etc., within London Regional Transport group and between that group and Railways Board group**

- (1) Subject to the following provisions of this section, the Secretary of State may by order—
- (a) make provision for the transfer, between any members of the London Regional Transport group, or between any member of that group and any member of the Railways Board group, of any functions of the transferor in connection with the carriage of passengers; and
  - (b) make any such provision with respect to either party to the transfer of functions as is mentioned in section 46(1) of this Act.
- (2) An order under this section may, for the purpose of any transfer of functions made by the order, amend any of the enactments relating to those functions.
- (3) Any such order may contain such supplementary, incidental and consequential provisions as may appear to the Secretary of State to be necessary or expedient.
- (4) The power to make orders under this section shall not be exercisable so as to cause all or substantially all of the functions of the London Regional Transport group to become functions of, or of subsidiaries of, the Railways Board.
- (5) Before making any order under this section the Secretary of State shall consult with—
- (a) London Regional Transport;
  - (b) the Railways Board ;
  - (c) the Passengers' Committee ; and
  - (d) such other persons (if any) as the Secretary of State may think fit.
- (6) In the case of an order under this section making such provision as is mentioned in section 46(1) of this Act, the property, rights and liabilities in question shall, subject to subsection (8) below, be transferred and vest in accordance with the order on such date as may be appointed by the order for that purpose.
- (7) Section 46(5) of this Act shall apply in relation to a transfer under subsection (6) above as it applies in relation to a transfer under subsection (4) of that section.
- (8) Subject to subsection (9) below, Schedule 4 to the 1968 Act shall apply to any transfer under subsection (6) above ; and subsection (6) above shall have effect subject to the provisions of that Schedule.
- (9) In Schedule 4 as it applies by virtue of subsection (8) above—
- (a) any reference to a transfer by or a vesting by virtue of that Act shall be read as a reference to a transfer by or a vesting by virtue of the order in question ; and
  - (b) the reference in paragraph 13(5) to the relevant provisions of that Act shall be read as including a reference to the relevant provisions of this Act.

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- (10) No order shall be made under this section unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

*Compensation for loss of employment, etc.*

**48 Compensation for loss of employment, etc.**

- (1) The Secretary of State may by regulations provide for the payment, by such persons as may be prescribed by or determined under the regulations, in such cases and to such extent as may be so prescribed or determined, of pensions, allowances or gratuities by way of compensation to or in respect of persons who have suffered loss of employment or loss or diminution of emoluments by reason of—

- (a) the disposal under section 9(1) of this Act of any part of the undertaking of London Regional Transport or of the whole or any part of the undertaking of any of their subsidiaries;
- (b) any transfer of property, rights or liabilities under section 27, 46 or 47 of this Act; or
- (c) any preparatory steps taken (after the making of the scheme or order in question) for the purposes of any such transfer which does not in fact take place, or taken for the purposes of any action required by a direction under section 10 of this Act which ceases to be so required before the action is taken.

- (2) Regulations under this section may—

- (a) include provision as to the manner in which and the person to whom any claim for compensation is to be made, and for the determination of all questions arising under the regulations ;
- (b) make different provision as respects different classes of persons and different circumstances and make or authorise the Secretary of State to make exceptions and conditions; and
- (c) be framed so as to have effect from a date earlier than the making of the regulations ;

but regulations having effect from a date earlier than the date of their making shall not place any individual who is qualified to participate in the benefits for which the regulations provide in a worse position than he would have been in if the regulations had been so framed as to have effect only from the date of their making.

- (3) Regulations under this section may include all or any of the following provisions, namely—

- (a) provision authorising the payment, without probate or other proof of title, of any sum due under the regulations in respect of a person who has died to his personal representatives or such other persons as may be prescribed by the regulations ;
- (b) provision rendering void any assignment of or charge on, or any agreement to assign or charge, any benefit under the regulations, and provision that on the bankruptcy of a person entitled to such a benefit no part of it shall pass to any trustee or other person acting on behalf of the creditors except in accordance with an order made by a court in pursuance of any enactment specified in the regulations ; and
- (c) such incidental, supplementary, consequential and transitional provisions as appear to the Secretary of State to be necessary or expedient.

- (4) Without prejudice to the preceding provisions of this section, regulations under this section may, in relation to any compensation required to be paid under the regulations by any person ("the person primarily liable"), specify persons who are to be liable to contribute towards that person's liability in accordance with subsections (5) and (6) below ("contributories").
- (5) Where contributories have been so specified in relation to any compensation, the contributories may arrange to make to the person primarily liable in respect of that compensation payments by way of contribution towards that person's liability.
- (6) If the person primarily liable in respect of any compensation satisfies the Secretary of State that any contributory has not made proper contribution towards that person's liability, whether by payment of money or by finding employment for persons to or in respect of whom the compensation has become payable, the Secretary of State may require that contributory to make such payment to the person primarily liable as appears to the Secretary of State to be just.
- (7) Regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

*Grants by Greater London Council for initial year*

**49 Grants by Greater London Council for year including appointed day**

- (1) The Secretary of State may by a direction given to the Greater London Council require that Council to pay to London Regional Transport, in the financial year in which the appointed day falls (referred to below in this section as "the initial year"), such an amount by way of grant as the Secretary of State may determine, not exceeding the aggregate of—
  - (a) the revenue grants under section 3(1)(a) of the 1969 Act determined in respect of that year for the Executive; and
  - (b) the sum of £170 million ;less any sums which the Secretary of State is satisfied that the Council have paid to the Executive by way of grants under section 3(1)(a) in that year before the appointed day.
- (2) Subject to subsection (3) below, references in subsection (1) above to the revenue grants under section 3(1)(a) of the 1969 Act determined in respect of the initial year for the Executive are references to any grants under that paragraph in aid of the revenues of the Executive (including grants in respect of reductions in fares for children) which the Greater London Council have determined, in accordance with section 4(1) of the Transport Act 1983, are to be made by them to the Executive in the initial year.
- (3) Any amount of the revenue grants so determined which is referable to provision for depreciation or renewal of assets shall be disregarded for the purposes of subsection (1) above.
- (4) A direction under subsection (1) above may require that the amount to which it relates shall be paid in instalments of such amounts as may be specified in the direction; and any amount payable by virtue of any such direction shall be due on such date as may be so specified in relation to that amount.
- (5) If any amount so payable is not paid on or before the date so specified, interest on that amount shall be payable to London Regional Transport at the rate for the time being

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applicable for the purposes of section 12(8) of the General Rate Act 1967 (interest on amounts due under precepts).

- (6) The Secretary of State may by notice in writing to London Regional Transport make the application by London Regional Transport of any sums received by them by virtue of this section subject to such terms and conditions as the Secretary of State thinks fit.
- (7) Sections 12(2) to (4) and 15(9) and (10) of this Act shall apply in relation to sums so received as they apply in relation to sums received by way of grants under section 12 of this Act (taking the reference in section 12(2) to any such terms and conditions as a reference to any terms and conditions applicable by virtue of subsection (6) above).
- (8) Any reference in—
  - (a) Article 1 of the Capital Allowances (Relevant Grants) (No. 2) Order 1969, as it has effect by virtue of paragraph 4 of Schedule 5 to this Act; and
  - (b) section 83(4)(d) of the Capital Allowances Act 1968, as substituted by paragraph 4 of Schedule 6 to this Act;
 to a grant made under section 12 of this Act shall be read as including a reference to a grant made under this section.
- (9) As respects the period beginning with the appointed day and ending with 31st March 1985, paragraphs 25B(a) and 29A of Schedule 2 to the London Government Act 1963 shall have effect as if for references to the Executive there were substituted references to London Regional Transport.
- (10) In this section " financial year " means a period of twelve months beginning with 1st April.

#### *Travel concessions*

### **50 Travel concessions on journeys in and around Greater London**

- (1) Subject to subsection (4) below, any local authority, or any two or more local authorities acting jointly, may enter into arrangements with London Regional Transport under which—
  - (a) London Regional Transport grant, or arrange with some other person for that other person to grant, such travel concessions as may be provided for by the arrangements to any persons eligible to receive them in accordance with subsection (7) below ; and
  - (b) that local authority (or, as the case may be, those local authorities in such proportions respectively as they may agree among themselves) reimburse the cost incurred in granting those concessions.
- (2) Any London authority may contribute to any cost incurred by a local authority within the meaning of the Public Service Vehicles (Travel Concessions) Act 1955 in granting travel concessions under that Act.
- (3) Subject to subsection (4) below, any London authority, or any two or more London authorities acting jointly, may make, with any independent transport service operator or with the Railways Board, arrangements under which—
  - (a) that operator or (as the case may be) the Board grant such travel concessions as may be provided for by the arrangements to any persons eligible to receive them in accordance with subsection (7) below; and



- (b) that authority (or, as the case may be, those authorities in such proportions respectively as they may agree among themselves) reimburse the cost incurred in granting those concessions.
- (4) The concessions that may be provided for by any arrangements under subsection (1) or (3) above are concessions on journeys—
  - (a) between places in Greater London ;
  - (b) between such places and places outside but in the vicinity of Greater London ;  
or
  - (c) between places outside but in the vicinity of Greater London.
- (5) Any arrangements entered into by a local authority under subsection (1) or (3) above may include provision for the performance of functions in connection with the travel concessions in question by the local authority or local authorities concerned.
- (6) Any London authority making contributions under subsection (2) above may enter into arrangements with the authority to whom those contributions are paid for the performance by that London authority of functions in connection with the travel concessions in respect of which the contributions are paid.
- (7) The persons eligible to receive travel concessions under arrangements made under subsection (1) or (3) above are persons mentioned in any of the following paragraphs, or any description of such persons, that is to say—
  - (a) men over the age of sixty-five years and women over the age of sixty years ;
  - (b) blind persons, that is to say, persons so blind as to be unable to perform any work for which sight is essential;
  - (c) persons suffering from any disability or injury which, in the opinion of the local authority or any of the local authorities by whom the cost incurred in granting the concessions falls to be reimbursed, seriously impairs their ability to walk.
- (8) In this section—
  - (a) " independent transport service operator" means any person operating a public service vehicle undertaking or a tramcar or railway undertaking other than—
    - (i) a local authority within the meaning of the Act of 1955 mentioned above ;
    - (ii) London Regional Transport, the Railways Board or any subsidiary of either of those authorities ; or
    - (iii) any person providing public passenger transport services in pursuance of an agreement entered into by London Regional Transport by virtue of section 3(2) of this Act;and any person whose use of a motor vehicle (within the meaning of the Public Passenger Vehicles Act 1981) is covered by an authorisation under section 48 of that Act (use of passenger vehicles in experimental areas);
  - (b) " local authority " means the council of a county or district and any London authority ;
  - (c) " London authority " means the Greater London Council, the council of any London borough and the Common Council; and
  - (d) " tramcar " has the same meaning as in the Public Passenger Vehicles Act 1981.

- (9) In this section and sections 51 to 53 of this Act " travel concession " means the reduction or waiver of a fare or charge either absolutely or subject to terms, limitations or conditions.

## **51 Reserve free travel scheme for London residents**

- (1) If immediately before 1st January in any accounting year of London Regional Transport it appears to London Regional Transport that there are not for the time being in force arrangements under section 50(1) of this Act for travel concessions for London residents which—

- (a) meet the requirements of section 53 of this Act as to scope and uniformity ; and
- (b) will apply throughout the next following accounting year of London Regional Transport;

the following provisions of this section (referred to below in this section and in section 52 of this Act as the free travel scheme) shall apply to the next following accounting year.

- (2) In any accounting year to which the free travel scheme applies it shall be the duty of London Regional Transport to grant, or (as the case may be) to exercise their control over any subsidiaries of theirs and their powers under Part I of this Act so as to secure that there are granted, the travel concessions for eligible London residents required by this section.

- (3) In this section and sections 52 and 53 of this Act—

- (a) references to eligible London residents are references to persons resident in Greater London who are eligible in accordance with section 50(7) of this Act to receive travel concessions under arrangements under subsection (1) of that section ;
- (b) references to categories of such residents are references to the categories of persons so eligible mentioned in paragraphs (a), (b) and (c) of section 50(7);
- (c) " travel concession permit" means, in relation to a travel concession under any such arrangements or under this section, a document in any form indicating that the person to whom it is issued is a person entitled in accordance with those arrangements or (as the case may be) under this section to receive the concession in question;
- (d) " relevant journey " means any journey of a description within section 50(4) (a), (b) or (c) of this Act; and
- (e) references to any services under the control of London Regional Transport are references to any public passenger transport services provided by London Regional Transport or any subsidiary of theirs or by any other person in pursuance of any agreement entered into by London Regional Transport by virtue of section 3(2) of this Act.

- (4) The travel concession required by this section in the case of all eligible London residents in the blind persons' category is the waiver, on production of a travel concession permit issued to any such resident under section 52 of this Act, of any fare otherwise payable by the person to whom it was issued for any relevant journey on a service under the control of London Regional Transport.

- (5) The travel concession required by this section in the case of all eligible London residents in any other category is the waiver, on production of such a permit, of any

fare otherwise payable by the person to whom it was issued for any such journey beginning—

- (a) at any time on a Saturday or Sunday or on any day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971 ; or
  - (b) in the daytime, evening or late-night period on any other day.
- (6) Subject to subsection (7) below, for the purposes of paragraph (b) of subsection (5) above—
- (a) the daytime period is the period from 9.30 a.m. until 6.30 p.m.;
  - (b) the evening period is the period from 6.30 p.m. until midnight; and
  - (c) the late-night period is the period from midnight until 1.00 a.m.
- (7) The daytime, evening or late-night period for the purposes of subsection (5)(b) above may be altered from time to time by London Regional Transport by notice published in such manner as they think fit, specifying the new period or periods and the effective date of the alteration.
- (8) A notice under subsection (7) above may not specify an effective date for the alteration of a period to which it applies falling earlier than three months after the date of publication of the notice; and before publishing any such notice London Regional Transport shall consult with all London authorities (within the meaning of section 50 of this Act) and with the Passengers' Committee.

## **52 Supplementary provisions with respect to the free travel scheme**

- (1) The following provisions of this section apply for the purposes of the operation of the free travel scheme in relation to any accounting year of London Regional Transport to which the scheme applies (referred to below in this section as the relevant accounting year).
- (2) As soon as the requirements for the application of the free travel scheme to the relevant accounting year are met, London Regional Transport shall notify all London borough councils and the Common Council (referred to below in this section as issuing authorities) that the scheme will apply to that accounting year.
- (3) London Regional Transport shall from time to time supply to each issuing authority such travel concession permits as appear to London Regional Transport to be required by that authority for issue to eligible London residents in accordance with the following provisions of this section.
- (4) Subject to subsection (5) below, an issuing authority shall issue a travel concession permit supplied by London Regional Transport under this section to any eligible London resident who applies for one and is resident in the area of that authority.
- (5) The issue of such a permit by any issuing authority shall be subject to such terms, limitations or conditions as the authority may, with the approval of the Secretary of State, from time to time determine as respects any category of eligible London residents.
- (6) Before 1st February in the accounting year immediately preceding the relevant accounting year London Regional Transport shall give written notification to each issuing authority of the charge to be paid to them under this section by the issuing authority, for each quarter of the relevant accounting year, in respect of a travel

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concession permit issued under this section to an eligible London resident of each category which is valid on the first day of that quarter.

- (7) The charges payable by issuing authorities under this section—
- (a) shall be fixed by London Regional Transport with a view to securing that the costs of the operation of the free travel scheme are met from the proceeds of those charges (taking one accounting year to which the scheme applies with another, where the scheme applies to two or more consecutive accounting years); and
  - (b) may differ for different quarters of an accounting year.
- (8) The reference in subsection (7)(a) above to the costs of the operation of the free travel scheme is a reference, in relation to any accounting year of London Regional Transport taken into account in fixing any charges under that subsection, to the aggregate of—
- (a) the revenue by way of fares which London Regional Transport estimate they and any subsidiaries of theirs have lost or will lose in that year in consequence of the provision of free travel under the scheme ; and
  - (b) any other costs which London Regional Transport have incurred or estimate that they will incur in that year in connection with providing or for the purpose of securing the provision of free travel under the scheme (including any payments London Regional Transport have made or propose to make for that purpose to any person with whom they have entered into an agreement by virtue of section 3(2) of this Act).
- (9) Before the end of the first month of each quarter of the relevant accounting year, each issuing authority shall—
- (a) pay to London Regional Transport, in respect of each travel concession permit issued by that authority and valid on the first day of that quarter, the charge fixed by London Regional Transport under this section for that quarter which is applicable to that permit;
  - (b) provide London Regional Transport with a written statement giving the particulars required by subsection (10) below with respect to the travel concession permits supplied to the authority by London Regional Transport under this section ; and
  - (c) if required to do so by London Regional Transport, return to London Regional Transport all such permits which have not been issued by the authority before the beginning of that quarter.
- (10) The particulars required by this subsection in any statement under subsection (9)(b) above with respect to any quarter of the relevant accounting year are—
- (a) the number of such permits issued to eligible London residents of each category which are valid on the first day of that quarter ;
  - (b) the number of such permits so issued (if any) which expired or were surrendered to the authority during the last preceding quarter ; and
  - (c) the number of such permits supplied for issue to eligible London residents of each category which have not been issued by the authority before the beginning of the quarter for which the statement is required.
- (11) In the application of section 50(7)(c) of this Act for the purposes of the free travel scheme and this section, the reference to the opinion of the local authority or any of the local authorities there mentioned shall be read, in relation to persons resident in the area of an issuing authority, as a reference to the opinion of that authority.

- (12) The annual report of London Regional Transport under section 34 of this Act with respect to the relevant accounting year shall contain a statement of—
- (a) the manner in which the charges fixed under this section in respect of each quarter of that year were calculated ; and
  - (b) the aggregate of the amounts paid to London Regional Transport during that year by the issuing authorities under this section.

### **53 Requirements as to scope and uniformity of arrangements for travel concessions under section 50(1)**

- (1) Arrangements under section 50(1) of this Act for travel concessions for London residents meet the requirements of this section as to scope if they provide for the grant of travel concessions to all eligible London residents on relevant journeys on all services under the control of London Regional Transport (subject to any terms, limitations or conditions with respect to the particular journeys on any such services on which any such concession is available to eligible London residents of any category).
- (2) Arrangements under section 50(1) of this Act for travel concessions for London residents meet the requirements of this section as to uniformity if they—
  - (a) make the same provision, for all eligible London residents of the same category, with respect to the benefit of any travel concession granted to those residents under the arrangements and the periods during which it is available;
  - (b) make the enjoyment of the benefit of any travel concession granted under the arrangements conditional on the production, by any person seeking to travel under that concession, of a travel concession permit issued to him in accordance with the arrangements; and
  - (c) make the same provision with respect to the period of validity of all travel concession permits issued in accordance with the arrangements to eligible London residents of the same category ;whether or not, in any other respects, the arrangements make different provision for different cases to which they apply.
- (3) References in subsection (2) above to the benefit of a travel concession are references to the waiver or reduction of any fare or charge to which the arrangements in question apply, as distinct from any terms, limitations or conditions applicable to that waiver or reduction in accordance with the arrangements.
- (4) Where individual arrangements under section 50(1) made between a particular local authority or local authorities and London Regional Transport apply to certain eligible London residents only, all arrangements so made shall be considered together for the purpose of determining whether subsections (1) and (2) above are satisfied.

#### *Penalty fares*

### **54 Penalty fares**

- (1) This section and the three next following sections have effect in relation to—
  - (a) travel on a bus service to which this section applies ; and
  - (b) travel on a train service to which this section applies ;if an order under section 58 of this Act is for the time being in force with respect to the service in question.

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- (2) Subject to subsection (4) below, if at any time during his journey on any bus service to which this section applies on which fare tickets are issued in return for fares paid by persons travelling on that service a person so travelling fails, on being required to do so by an authorised person, to produce any necessary fare ticket for his journey on that service, he shall be liable to pay a penalty fare in respect of that journey.
- (3) Subject to subsection (4) below, if a person travels on any such bus service on which fare tickets are not so issued without paying the fare (if any) properly payable for his journey on that service, or for any part of his journey on that service, he shall be liable to pay a penalty fare in respect of that journey.
- (4) A person shall not be liable to pay a penalty fare—
- (a) in a case within subsection (2) above, if he had no reasonable opportunity to obtain any necessary fare ticket before the time when he was required to produce such a ticket;
  - (b) in a case within subsection (3) above, if he had no reasonable opportunity to pay the fare in question before the time when he was found to have failed to pay it.
- (5) Subject to subsection (6) below, if at any time during his journey on any train service to which this section applies a person travelling on that service fails, on being required to do so by an authorised person, to produce any necessary fare ticket for his journey on that service, he shall be liable to pay a penalty fare in respect of that journey.
- (6) A person shall not be liable to pay a penalty fare by virtue of subsection (5) above if he had no reasonable opportunity to obtain any necessary fare ticket, or a deferred fare authority applicable to his journey or to any relevant part of his journey, at the time when he started to travel.
- (7) A penalty fare payable by any person under this section in respect of any journey shall be an amount equal to—
- (a) the minimum penalty ; or
  - (b) the default fare for the journey multiplied by the multiplier ;
- whichever is the greater; and any such penalty fare shall be payable to the person providing the service in question within the period of twenty-one days beginning with the day following the date on which the journey was completed.
- (8) In subsection (7) above—
- (a) " the minimum penalty " means £5 or such other (lower or higher) sum as the Secretary of State may by order prescribe; and
  - (b) " the multiplier " means ten or such other (lower or higher) figure as the Secretary of State may by order prescribe.
- (9) In any case within subsection (2) or (5) above the default fare for the journey mentioned in subsection (7)(b) above is—
- (a) where the whole of the distance travelled on that journey was not covered by any fare ticket produced by the person in question or by any deferred fare authority or other valid authority to travel, an amount equal to the full fare for the whole of that distance;
  - (b) where any part (but not the whole) of the distance so travelled was not so covered, an amount equal to the full fare for that part of that distance ;
  - (c) where the whole or any part of the distance so travelled was covered by a fare ticket so produced showing payment of a fare appropriate in the case of

another category of traveller but lower than the fare properly payable by the person in question for that journey or for the relevant part of that journey, an amount equal to the difference between the fare shown on the ticket and the full fare for that distance or (as the case may be) for that part of that distance; and

- (d) where both paragraphs (b) and (c) above apply, the aggregate of the amounts applicable under each of those paragraphs.
- (10) In any case within subsection (3) above the default fare for the journey mentioned in subsection (7)(b) above is an amount determined by applying subsection (9) above, taking references (however expressed) to a fare ticket produced by the person in question and the fare shown on any such ticket as references to a fare paid by that person.
- (11) In this section " full fare " means, in relation to the whole or any part of the distance travelled by any person on a journey on any bus or train service to which this section applies, the single ordinary fare payable by an adult for travelling on that service for that distance or (as the case may be) for that part of that distance on a journey corresponding to the one actually taken (but treated, where it covers part only of the distance travelled on that journey, and also where the whole of the distance so travelled formed part of a journey made partly by way of another service, as a separate journey).
- (12) The liability of any person under this section to pay a penalty fare in respect of any journey is subject to section 57 of this Act.

## **55 Interpretation of the penalty fares provisions**

- (1) Section 54 of this Act applies to any bus or train service provided by London Regional Transport or any subsidiary of theirs or by any other person in pursuance of any agreement entered into by London Regional Transport by virtue of section 3(2) of this Act which provides that that section is to apply to services provided in pursuance of that agreement.
- (2) In this section and the three next following sections " the penalty fares provisions " means section 54, this section and the two next following sections.
- (3) In the penalty fares provisions—
- " authorised person " means a person authorised by the person providing the service in question ;
  - " authority to travel " means any ticket (other than a fare ticket), permit, voucher or other document authorising the person to whom it is issued to travel on any bus or train service to which section 54 applies, whether or not subject to any terms, limitations or conditions as to its use ;
  - " bus journey " means a journey on a bus service to which that section applies;
  - " bus service " has the meaning given by section 43(7) of this Act;
  - "deferred fare authority" means an authority to travel subject to a condition requiring payment of the fare applicable in the case of the person using that authority for the whole or any part of any journey on which it is used at the conclusion of that journey or otherwise as provided by any terms applicable to its use (whether or not it is also subject to any other terms, limitations or conditions);

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"deferred fare" means the fare payable for a journey authorised by a deferred fare authority;

" fare ticket " means a ticket showing payment of a fare for travelling on a bus or train journey and authorising the person to whom it is issued to travel on any such journey for the distance covered by that fare, whether or not subject to any terms, limitations or conditions as to its use:

"train journey" means a journey on a train service to which section 54 of this Act applies ; and

" train service " means a service for the carriage of passengers by rail.

- (4) References in the penalty fares provisions to the fare properly payable for a person's journey on any bus or train service to which section 54 applies are references to the fare so payable excluding any deferred fare for the journey; that is to say, the fare payable by a person of the category to which he belongs for travelling on that service for the whole of the distance travelled on that journey, or for such part of the distance so travelled as is not covered by any deferred fare authority or other valid authority to travel that applies to his journey on the occasion in question.

This subsection applies in relation to references in those provisions to the fare properly payable for part of a person's journey as it applies to references to the fare properly payable for a person's journey.

- (5) References in those provisions to any necessary fare ticket for a person's journey on any such bus or train service are references to a fare ticket required for his journey on the occasion in question which—
- (a) applies to his journey on that occasion ; and
  - (b) shows payment of the fare properly payable for that journey.
- (6) For the purposes of those provisions, no fare is properly payable for a bus journey and no fare ticket is required for a bus or train journey if the person travelling on that journey has a deferred fare authority or other valid authority to travel that applies to the whole of his journey on the occasion in question.

## **56 Supplementary provisions with respect to penalty fares**

- (1) In any action for the recovery of a penalty fare payable under section 54 of this Act it shall be for the plaintiff to show that any relevant exception provided by subsection (4) or (6) of that section does not apply.
- (2) It shall be the duty of London Regional Transport to secure that the requirements of the following provisions of this section with respect to warning notices are met in the case of every bus or train service to which section 54 applies.
- (3) In the case of a bus service, a warning notice meeting the requirements of subsection (4) below shall be posted in every vehicle used in providing that service or, where any such vehicle has more than one deck, on each deck of that vehicle, in such a position as to be readily visible to persons travelling on the vehicle.
- (4) A warning notice posted in pursuance of subsection (3) above shall state—
  - (a) in the case of a bus service within section 54(2) of this Act, that persons travelling on that service who cannot produce a ticket showing payment of the correct fare for their journey, or for any part of their journey not otherwise authorised, may be liable to a penalty fare; and



- (b) in the case of a bus service within subsection (3) of that section, that persons who travel on that service without paying the correct fare for their journey, or for any part of their journey not otherwise authorised, may be liable to a penalty fare.
- (5) In the case of a train service, a warning notice meeting the requirements of subsection (6) below shall be posted—
  - (a) in every station at which persons may start to travel on that service, in such a position as to be readily visible to prospective passengers ; and
  - (b) in every carriage of every train used in providing that service.
- (6) A warning notice posted in pursuance of subsection (5) above shall state that persons travelling on that service who cannot produce a ticket showing payment of the correct fare for their journey, or for any part of their journey not otherwise authorised, may be liable to a penalty fare.
- (7) Every warning notice posted in pursuance of this section shall state the amount of the current minimum penalty (within the meaning of section 54(7) of this Act) and indicate that a penalty fare may be higher.
- (8) Any order under subsection (8) of that section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

## **57 Exclusion of double liability**

- (1) Where a person has become liable under section 54 of this Act to pay a penalty fare in respect of any bus or train journey (" the relevant journey "), no proceedings may be brought against him for any of the offences specified in subsection (2) below before the end of the period mentioned in subsection (7) of that section; and no such proceedings may be brought after the end of that period if either—
  - (a) he has paid that fare to the person providing the service before the end of that period ; or
  - (b) an action has been brought against him for the recovery of that fare.
- (2) The offences mentioned in subsection (1) above are—
  - (a) any offence under section 5(3)(a) or (b) of the Regulation of Railways Act 1889 (travelling without paying the correct fare with intent to avoid payment) arising from the relevant journey;
  - (b) any offence under byelaws made under section 67 of the 1962 Act (byelaws for railways, etc.) involving a failure to obtain or produce a fare ticket or authority to travel for the relevant journey ; and
  - (c) any offence under section 25(3) of the Public Passenger Vehicles Act 1981 of contravening or failing to comply with any provision of regulations for the time being having effect by virtue of that section by failing to pay the fare properly payable for the relevant journey or any part of it.
- (3) If proceedings are brought against any such person for any such offence he shall cease to be liable to pay the penalty fare and, if he has paid it, the person to whom it was paid shall be liable to repay to him an amount equal to the amount of that fare.

**58 Operation of the penalty fares provisions**

- (1) The Secretary of State may by order provide that the penalty fares provisions shall have effect, as from such day as may be specified in the order, with respect to—
  - (a) bus services to which section 54 applies ; and
  - (b) train services to which that section applies ;
 and different days may be specified under this section with respect to bus services and train services.
- (2) Any such order is referred to below in this section as an order activating the penalty fares provisions.
- (3) The revocation by the Secretary of State of an order activating the penalty fares provisions shall be without prejudice to the power of the Secretary of State to make further orders under this section activating those provisions.
- (4) An order activating the penalty fares provisions may provide that any provision of a local Act specified in the order (being a provision which appears to the Secretary of State to be unnecessary having regard to the penalty fares provisions so far as they have effect by virtue of the order) shall be suspended while that order has effect; and any such provision shall accordingly be treated, so long as that order has effect, as if it had been repealed.
- (5) Without prejudice to subsection (4) above, any order activating the penalty fares provisions, and any order revoking any such order, may contain such supplementary, incidental and consequential provisions (including transitional provisions) as may appear to the Secretary of State to be necessary or expedient.
- (6) No order activating the penalty fares provisions may be made except at the request of London Regional Transport.

*Miscellaneous***59 Provision of extra transport services and facilities by Railways Board**

The council of a London borough and the Common Council shall each have power to enter into and carry out agreements with the Railways Board with respect to the provision or retention and financing of public passenger transport services and facilities which would not be available apart from any such agreement.

**60 Interim control over organisation and fares of Executive**

- (1) No direction may be given by the Greater London Council to the Executive under section 20(1) of the 1969 Act (power of Council to direct preparation of proposals for transfers of functions, etc.) after the passing of this Act.
- (2) Where before the passing of this Act the Greater London Council have directed the Executive under section 20(1) to give effect to any proposals submitted to that Council in accordance with a previous direction under that provision, subsection (1) above is without prejudice to the duty of the Executive under section 41 of that Act to comply with that direction.
- (3) During the period between the passing of this Act and the appointed day the Executive shall not make any alteration in the general level or structure of the fares to be charged

for the time being for the carriage of passengers by the Executive or any subsidiary of theirs, unless their proposals for that alteration have been submitted to and approved by the Secretary of State.

## **61 Provisions as to approvals, consents and directions**

- (1) Any approval or consent of the Secretary of State under any provision of this Act—
  - (a) shall be given in writing;
  - (b) may be given for any case or description of cases specified in the approval or consent, or may be general; and
  - (c) may be given subject to conditions.
- (2) Nothing done by London Regional Transport shall be unlawful on the ground that it was done without the approval or consent of the Secretary of State and that under this Act it required his approval or consent.
- (3) If it appears to the Secretary of State that London Regional Transport propose to do anything or have without the approval or consent of the Secretary of State which in his opinion requires his approval or consent he may after consultation with London Regional Transport give to London Regional Transport such directions as appear to him to be appropriate.
- (4) The directions which the Secretary of state may give under subsection (3) above in a case where London Regional Transport have already done anything without the Secretary of State's approval or consent may, in particular require London Regional Transport to discontinue any activity or to dispose of any assets, and directions may be given to that effect notwithstanding that they make it necessary for London Regional Transport to dispose of assets at a loss or incur liability to other persons.
- (5) Any direction given by the Secretary of State under this Act shall be in writing; and (without prejudice to section 10(4) of this Act) it shall be the duty of London Regional Transport or of any other person to whom the Secretary of State gives a direction under this Act to give effect to any such direction.

## **62 Joint subsidiaries**

- (1) Subsection (2) below applies to the following authorities, that is to say, London Regional Transport and the Railways Board.
- (2) Where a company of which both those authorities are members would, if those authorities were a single body corporate, be a subsidiary of that body corporate, then, whether or not that company is apart from this subsection a subsidiary of one of those authorities, that company shall be treated for the purposes of this Act (subject to any express provision to the contrary) as a subsidiary of each of those authorities.
- (3) Section 51(5) and (6) of the 1968 Act shall continue to apply to London Regional Transport and to have effect accordingly as if London Regional Transport were one of the Boards, but in the application of those provisions in relation to any company in any case where the authorities concerned include London Regional Transport—
  - (a) subject to subsection (4) below, subsection (5) (joint wholly owned subsidiary of two or more authorities to be treated for purposes of 1962 Act and provisions of 1968 Act other than Parts V and VI as a wholly owned subsidiary of each authority) shall have effect as if the words " wholly owned " (in each place where they occur) were omitted ; and

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(b) subsection (6) (duty of individual authority to control subsidiary superseded by joint duty in case of joint subsidiaries) shall have effect as if the reference to section 25(1) of the 1962 Act included a reference to sections 21 and 33 of this Act.

(4) Subsection (3)(a) above shall not affect the application of section 51(5) for the purpose of determining whether the company in question is to be treated for the purposes mentioned in section 51(5) as a wholly owned subsidiary of the authority or authorities concerned other than London Regional Transport.

### **63 Orders and regulations**

Any power to make an order or regulations conferred on the Secretary of State by any provision of this Act shall be exercisable by statutory instrument.

### **64 Stamp duty**

(1) Stamp duty shall not be chargeable under section 47 of the Finance Act 1973 in respect of the formation by London Regional Transport of a company in pursuance of section 4 of this Act, if the formation of that company is certified by the Treasury—

- (a) as being effected in pursuance of section 4 ; and
- (b) as satisfying the requirements of subsection (5) below.

(2) Stamp duty shall not be so chargeable in respect of—

- (a) the formation of a company (otherwise than in pursuance of section 4 of this Act); or
- (b) any increase in the capital of a company ;

if the transaction concerned is certified by the Treasury as satisfying the requirements of subsections (3) to (5) below.

(3) A transaction satisfies the requirements of this subsection if it relates to a public transport company and—

- (a) in a case within subsection (2)(a) above, the company will on its formation be owned by London Regional Transport; or
- (b) in a case within subsection (2)(b) above, the company is owned by London Regional Transport immediately before and immediately after the increase in its capital takes effect.

(4) A transaction satisfies the requirements of this subsection if it is effected solely for the purpose—

- (a) of facilitating such an eventual disposal as is mentioned in section 9(5) of this Act; or
- (b) of complying with a direction given by the Secretary of State under section 10(1) of this Act.

(5) A transaction satisfies the requirements of this subsection if it is entered into solely in connection with a relevant transfer, takes place on or before the transfer date and does not give rise to an excess of capital. In this subsection, " relevant transfer " means—

- (a) in a case within subsection (1) above, a transfer to be effected in pursuance of a scheme made under section 4 of this Act;
- (b) in a case within subsection (2) above, a transfer to be effected in pursuance of a scheme made under section 9(6) of this Act.

- (6) For the purposes of subsection (5) above a transaction gives rise to an excess of capital if—
- (a) in a case within subsection (1) or (2)(a) above, the total issued capital of the company exceeds on the transfer date, the total value of the assets less liabilities transferred; or ,
  - (b) in a case within subsection (2)(b) above the aggregate amount of the increase in issued capital of the company exceeds, on that date, that total value ;
- and in this subsection "issued capital" means issued share capital or loan capital.
- (7) Stamp duty shall not be chargeable on any instrument which is certified to the Commissioners of Inland Revenue by London Regional Transport as having been made or executed in pursuance of Schedule 4 to the 1968 Act as it applies—
- (a) by virtue of section 27 of this Act to a transfer in pursuance of a scheme made under section 4 of this Act or to a transfer made in pursuance of a scheme made under section 9(6) of this Act in compliance with a direction given by the Secretary of State under section 10 of this Act; or
  - (b) by virtue of section 47 of this Act to a transfer in pursuance of an order made by the Secretary of State under that section;
- but no such instrument shall be treated as duly stamped unless it is stamped with the duty to which it would but for this subsection be liable or it has, in accordance with the provisions of section 12 of the Stamp Act 1891, been stamped with a particular stamp denoting that it is not chargeable with any duty or that it is duly stamped.
- (8) For the purposes of subsection (3) above—
- (a) " public transport company " means a company whose objects include the provision of public passenger transport services; and
  - (b) a company is to be treated as owned by London Regional Transport at any time when more than half in nominal value of that company's issued share capital is held by London Regional Transport or by nominees on their behalf.

## **65 Inquiries by Secretary of State**

The Secretary of State may hold inquiries for the purposes of his powers under this Act as if those purposes were purposes of the Ministry of Transport Act 1919, and section 20 of that Act shall apply accordingly.

## **66 Construction of powers of London Regional Transport**

- (1) Each of the powers conferred on London Regional Transport by the provisions of this Act is in addition to, and not in derogation of, any other power conferred on London Regional Transport by this Act or by any other enactment.
- (2) It is declared that the provisions of this Act conferring powers on London Regional Transport relate only to the capacity of London Regional Transport as a statutory corporation and nothing in those provisions is to be read as authorising the disregard by London Regional Transport of any enactment or rule of law.

## **67 General provision with respect to former London Board functions**

- (1) Without prejudice to the effect of any other provision of this Act in relation to any functions exercisable before the coming into operation of the 1969 Act by the

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London Board, the functions transferred to the Executive or (as the case may be) to the designated company (within the meaning of that Act) by or under section 17 of or Schedule 3 to that Act (the London Board's statutory functions) continue to be exercisable (subject to the provisions of this Act) by London Regional Transport or (as the case may be) by that company.

- (2) Without prejudice to subsection (1) above, Schedule 4 to this Act has effect for the purpose of replacing (with certain modifications) the provisions of Schedule 3 to the 1969 Act (so far as not spent, irrelevant to the operations of London Regional Transport or superseded by any other provisions of this Act) with provisions referring to London Regional Transport or (as the case may be) to London Regional Transport and any subsidiary of theirs.
- (3) Schedule 4 to this Act also has effect for the purpose of substituting, for references to the Executive in enactments relating to the functions mentioned in subsection (1) above contained in Acts passed after the passing of the 1969 Act, references to London Regional Transport or (as the case may be) to London Regional Transport and any subsidiary of theirs.

## **68 Interpretation**

In this Act—

- " the 1962 Act" means the Transport Act 1962 ;
- " the 1968 Act" means the Transport Act 1968 ;
- " the 1969 Act" means the Transport (London) Act 1969 ;
- " accounting year " means, subject to paragraph 1 of Schedule 5 to this Act, a period of twelve months beginning with 1st April;
- "the appointed day" has the meaning given by section 1(4) of this Act;
- " the Boards " (unless the context otherwise requires) means the Boards established under section 1 of the 1962 Act other than the London Board, and references to a Board shall be construed accordingly ;
- "the Bus Company" means the National Bus Company established under section 24 of the 1968 Act;
- "charges" includes fares, rates, tolls and dues of every description;
- " the Common Council " means the Common Council of the City of London;
- " the Executive " means the London Transport Executive established under section 4 of the 1969 Act;
- " functions " includes powers, duties and obligations;
- " goods " includes animals, parcels and mails;
- " Greater London " means the administrative area of Greater London as for the time being constituted ;
- " hovercraft" has the same meaning as in the Hovercraft Act 1968;
- " land " includes buildings and other structures, land covered by water and any interest or right in, over or under land;
- " liability " includes an obligation;
- " the London Board " means the London Transport Board established under section 1 of the 1962 Act;
- " London bus service " has the meaning given by section 43(7) of this Act;
- " the London Regional Transport group" has the meaning given by section 22(3) of this Act;

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" participant ", in relation to a pension scheme, means—

- (a) in relation to a scheme under which benefits are or will be receivable as of right, a person who has pension rights under the scheme (whether he has contributed or not); and
- (b) in relation to a scheme under which benefits are not or will not be receivable as of right, a person who (whether he is referred to in the scheme as a member, contributor or otherwise) has contributed under the scheme and has pension rights under it; and " participate " and " eligible to participate " shall be construed accordingly;

" Passengers' Committee " means the body established under section 40 of this Act;

" pension " in relation to a person, means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions to a pension fund, with or without interest on or any other addition to those contributions, and any sums payable on or in respect of the death of that person;

" pension fund " means a fund established for the purposes of paying pensions;

" pension rights " includes, in relation to any person, all forms of right to or liability for the present or future payment of a pension, and any expectation of the accruer of a pension under any customary practice, and includes a right of allocation in respect of present or future payment of a pension ;

" pension scheme " includes any form of arrangement for the payment of pensions, whether subsisting by virtue of an Act of Parliament, trust, contract or otherwise ;

" public service vehicle " has the same meaning as in the Public Passenger Vehicles Act 1981;

" the Railways Board " means the British Railways Board established under section 1 of the 1962 Act;

" related company " has the meaning given by section 11(2) of this Act;

"road service licence" has the same meaning as in the Public Passenger Vehicles Act 1981;

" securities ", in relation to a body corporate, means any shares, stock, debentures, debenture stock and any other security of a like nature of a body corporate ;

" statutory provision" means a provision, whether of a general or of a special nature, contained in, or in any document made or issued under, any Act, whether of a general or special nature ;

" subsidiary " (subject to section 62 of this Act) means, in relation to any body corporate, a body corporate which is a subsidiary of the first-mentioned body corporate as defined by section 154 of the Companies Act 1948 (taking references in that section to a company as being references to a body corporate);

" vehicle " includes a hovercraft; and

" wholly owned subsidiary" means a subsidiary all the securities of which are owned by a body of which it is a subsidiary, or by one or more other wholly owned subsidiaries of that body, or partly by that body and partly by any wholly owned subsidiary of that body.

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## **69 Expenses**

There shall be paid out of money provided by Parliament—

- (a) any expenses incurred by the Secretary of State under or in consequence of the provisions of this Act;
- (b) any increase attributable to any of the provisions of this Act in the sums so payable under any other Act.

## **70 Initial membership of London Regional Transport**

- (1) Subject to the following provisions of this section, the chairman and any other person who is a member of the Executive immediately before the appointed day shall continue in office in accordance with the terms of their appointment (taking references in those terms to the Greater London Council as references to the Secretary of State) and be treated for the purposes of Schedule 1 to this Act as if appointed by the Secretary of State in pursuance of the provisions of that Schedule.
- (2) At any time during the period of three months beginning with the appointed day the Secretary of State may remove any such person from office, without notice and without assigning cause.
- (3) If a person ceases to be a member of London Regional Transport, otherwise than on the expiration of his term of office, at any time within the period mentioned in subsection (2) above, London Regional Transport shall pay to that person compensation of such amount, and on such terms, as the Secretary of State may, with the approval of the Treasury, determine.
- (4) The Secretary of State shall remove a member of London Regional Transport from office in pursuance of this section in the manner provided by paragraph 7(4) of Schedule 1 to this Act.

## **71 Further transitional provisions, savings, amendments and repeals**

- (1) If an order has been made under section 36(1) of this Act specifying a day for the application of sections 37 and 38 of this Act and either—
  - (a) the period of eight years mentioned in subsection (5) of section 36 has expired without the order having been confirmed by order made under that subsection ;
  - or
  - (b) before the expiry of that period a further order has been made under subsection (1) of that section for the purpose of revoking the order ;
 the Secretary of State may by order make such transitional and consequential provision (including provision modifying any enactment contained in this or any other Act) as appears to him to be necessary or desirable in consequence of the expiry of Part II of this Act by virtue of section 39(b) of this Act.
- (2) The transitional provisions and savings in Schedule 5 to this Act shall have effect.
- (3) Subject to those transitional provisions and savings—
  - (a) the enactments mentioned in Schedule 6 to this Act shall have effect subject to the amendments specified in that Schedule, being minor amendments and amendments consequential on the provisions of this Act; and



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- (b) the enactments mentioned in Schedule 7 to this Act (which include enactments which were spent or of no practical utility at the passing of this Act) are repealed to the extent specified in the third column of that Schedule.
- (4) For any reference in any statutory provision (other than one specifically amended by any provision of this Act) to the Executive there shall be substituted a reference to London Regional Transport.
- (5) Subsection (4) above—
  - (a) applies to any reference, however worded, whether express or implied, and including a reference made by means of a general reference to a class of persons of which the Executive are one, without the Executive themselves being specifically referred to; and
  - (b) is without prejudice to the effect in relation to London Regional Transport of any provision of any agreement or of any provision of any other document (not being a statutory provision) which refers (in whatever words and whether expressly or by implication) to the Executive.
- (6) No statutory provision excluded by section 24(4) of the 1962 Act from applying to any of the Boards (statutory provisions relating to accounts, statistics and returns to be kept by railway companies, etc.) shall apply to London Regional Transport or any subsidiary of theirs.
- (7) Any order under subsection (1) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.

## **72 Short title, commencement and extent**

- (1) This Act may be cited as the London Regional Transport Act 1984.
- (2) Subject to the following provisions of this section, this Act shall come into force on the appointed day.
- (3) The following provisions of this Act, that is to say—
  - (a) this section;
  - (b) sections 60, 68, 69 and 71(2) (so far as that subsection relates to the provisions of Schedule 5 mentioned in paragraph (c) below); and
  - (c) in Schedule 5, paragraph 7 and sub-paragraphs (1) to (5), (9) and (10)(a) of paragraph 8 ;shall come into force on the passing of this Act.
- (4) Without prejudice to section 13 of the Interpretation Act 1978, section 40(1) to (3) and (12) of, and Schedule 3 to, this Act shall come into force on the passing of this Act for the purpose of enabling the Passengers' Committee to exercise and perform their functions with full effect as from the appointed day.
- (5) Section 45 of this Act shall come into force at the end of the period of two months beginning with the day on which this Act is passed.
- (6) The repeals made by this Act in Schedule 2 to the London Government Act 1963 (and the related repeal of paragraph 9 of Schedule 13 to the Local Government, Planning and Land Act 1980) shall come into force on 1st April 1985.
- (7) This Act, except—
  - (a) paragraph 8 of Schedule 1; and

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(b) paragraph 13 of Schedule 3 ;  
does not extend to Scotland or to Northern Ireland.

## SCHEDULES

### SCHEDULE 1

Section 1(3).

#### CONSTITUTION AND PROCEEDINGS OF LONDON REGIONAL TRANSPORT

##### *Preliminary*

- 1       References below in this Schedule to the Corporation are references to London Regional Transport.

##### *Constitution*

- 2       (1) The Corporation shall consist of—  
          (a) a chairman appointed by the Secretary of State ; and  
          (b) not less than four nor more than eleven other members appointed by the Secretary of State after consultation with the chairman of the Corporation.
- (2) The Secretary of State may, after consultation with the chairman of the Corporation, appoint a member of the Corporation to be deputy chairman of the Corporation.

##### *Status*

- 3       The Corporation shall not be regarded as the servant or agent of the Crown, or as enjoying any status, immunity or privilege of the Crown, or (subject to any express provision of this Act) as exempt from any tax, duty, rate, levy or other charge whatsoever, whether general or local; and the Corporation's property shall not be regarded as property of, or property held on behalf of, the Crown.

##### *Members*

- 4       (1) The chairman and other members of the Corporation shall be appointed by the Secretary of State from among persons who appear to him to have had wide experience of, and shown capability in, transport, industrial, commercial or financial matters, administration, applied science, or the organisation of workers.
- (2) A member of the Corporation shall hold and vacate his office in accordance with the terms of his appointment and shall, on ceasing to be a member, be eligible for re-appointment.
- (3) A member may at any time by notice in writing to the Secretary of State resign his office.
- 5       (1) Before appointing a person to be a member of the Corporation the Secretary of State shall satisfy himself that that person will have no such financial or other interest as is likely to affect prejudicially the exercise and performance by him of his functions as a member of the Corporation, and the Secretary of State shall also satisfy himself from time to time with respect to every member of the Corporation that he has no such interest; and a person who is, or whom the Secretary of State proposes to appoint to

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be, a member of the Corporation shall, whenever requested by the Secretary of State so to do, furnish to him such information as the Secretary of State considers necessary for the performance by the Secretary of State of his duties under this paragraph.

- (2) A member of the Corporation who is in any way directly or indirectly interested in a contract made or proposed to be made by the Corporation, or in a contract made or proposed to be made by a subsidiary of the Corporation which is brought up for consideration by the Corporation, shall disclose the nature of his interest at a meeting of the Corporation; and the disclosure shall be recorded in the minutes of the Corporation, and the member shall not take any part in any deliberation or decision of the Corporation with respect to that contract.
- (3) For the purposes of sub-paragraph (2) above, a general notice given at a meeting of the Corporation by a member of the Corporation to the effect that he is a member of a specified company or firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with the company or firm shall be regarded as a sufficient disclosure of his interest in relation to any contract so made or proposed to be so made.
- (4) A member of the Corporation need not attend in person at a meeting of the Corporation in order to make a disclosure which he is required to make under this paragraph if he takes reasonable steps to secure that the disclosure is made by a notice which is brought up and read at the meeting.
- 6 (1) The Corporation—
- (a) shall pay to the members of the Corporation such salaries or fees, and such allowances, as the Secretary of State may determine ; and
  - (b) as regards any member in whose case the Secretary of State may so determine, shall pay such pension, allowance or gratuity to or in respect of him or make such payments towards the provision of such a pension, allowance or gratuity as may be so determined ;
- and, if a person ceases to be a member of the Corporation and it appears to the Secretary of State that there are special circumstances which make it right that that person should receive compensation, the Secretary of State may require the Corporation to pay to that person a sum of such amount as the Secretary of State may determine.
- (2) The Secretary of State may not make a determination or impose a requirement under this paragraph without the approval of the Treasury.
- (3) So much of sub-paragraph (1) above as requires that the pensions (if any) which are to be paid in the case of members of London Regional Transport are to be determined by the Secretary of State shall not apply in relation to any pension payable apart from the provisions of that sub-paragraph.
- 7 (1) If the Secretary of State is satisfied that a member of the Corporation—
- (a) has been absent from meetings of the Corporation for a period longer than three consecutive months without the permission of the Corporation ; or
  - (b) has become bankrupt or made an arrangement with his creditors; or
  - (c) is incapacitated by physical or mental illness ; or
  - (d) is otherwise unable or unfit to discharge the functions of a member;
- he may remove that member from office.

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- (2) The terms of appointment of a member of the Corporation may provide for his removal from office (without assigning cause) on notice from the Secretary of State of such length as may be specified in those terms, subject (if those terms so provide) to compensation from the Corporation; and in any such case the Secretary of State may remove that member from office in accordance with those terms.
- (3) Where a member whose terms of appointment provide for compensation on his removal from office in pursuance of sub-paragraph (2) above is removed from office in pursuance of that sub-paragraph, the Corporation shall pay to him compensation of such amount, and on such terms, as the Secretary of State may with the approval of the Treasury determine.
- (4) The Secretary of State shall remove a member of the Corporation from office in pursuance of this paragraph by declaring his office as a member of the Corporation to be vacant and notifying that fact in such manner as the Secretary of State thinks fit; and thereupon the office shall become vacant.

8 Part II of Schedule 1 to the House of Commons Disqualification Act 1975 (which specifies certain commissions, tribunals and other bodies all members of which are disqualified under that Act) shall be amended by inserting the words " London Regional Transport " at the appropriate place in alphabetical order.

#### *Proceedings*

- 9 The validity of any proceedings of the Corporation shall not be affected by a vacancy amongst the members of the Corporation or by a defect in the appointment of a member.
- 10 The quorum of the Corporation shall be three; and, while a member is disqualified from taking part in a decision or deliberation of the Corporation with respect to a matter, he shall be disregarded for the purpose of constituting a quorum of the Corporation for deciding, or deliberating on, that matter.
- 11 Subject to the preceding provisions of this Schedule, the Corporation shall have power to regulate their own procedure.

#### *Staff*

- 12 The Corporation shall appoint a secretary of the Corporation and may appoint such other employees as they may determine.

#### *Application of seal and proof of instruments*

- 13 The application of the seal of the Corporation shall be authenticated by the signature of the secretary of the Corporation or of some other person authorised, either generally or specially, by the Corporation to act for that purpose.
- 14 A certificate signed by the secretary of the Corporation that an instrument purporting to be made or issued by or on behalf of the Corporation was so made or issued shall be conclusive evidence of that fact
- 15 Every document purporting to be an instrument made or issued by or on behalf of the Corporation and to be duly executed under the seal of the Corporation, or to be signed or executed by the secretary of the Corporation or a person authorised by

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the Corporation to act in that behalf shall be received in evidence and be treated, without further proof, as being so made or issued unless the contrary is shown.

## SCHEDULE 2

Section 3(9).

### OPERATING POWERS OF LONDON REGIONAL TRANSPORT

#### *Carriage and storage*

- 1 (1) London Regional Transport may carry passengers by any form of land or water transport (including in either case hovercraft) within, to or from Greater London.
- (2) London Regional Transport may carry passengers as mentioned in sub-paragraph (1) above between places outside Greater London, hi so far as they consider it requisite to do so—
- (a) in connection with the exercise of their powers under that sub-paragraph ; or
- (b) in order to avoid an interruption of services provided by the Executive before the appointed day in exercise of their powers under section 6(1)(b)(ii) of the 1969 Act (provision of services outside Greater London to avoid interruption of services formerly provided by the London Board).
- (3) London Regional Transport may also carry luggage and other goods, but only in any vehicle or vessel used for the carriage of passengers in pursuance of sub-paragraph (1) or (2) above or in another vehicle drawn by or with, or propelled with, any vehicle so used.
- 2 (1) London Regional Transport may enter into arrangements with any person providing passenger transport services by air for the provision of such services between places in Greater London or between such places and places outside Greater London.
- (2) Without prejudice to their powers under section 3 of this Act, London Regional Transport may enter into arrangements with any person operating a business of providing passenger vehicles for hire (whether with or without the services of a driver, and whether under private hire arrangements or by way of plying for public hire), for that person to make passenger vehicles operated by him available for hire, or for use in accordance with the arrangements, on such terms and in such manner as may be provided for by the arrangements, in or between places in Greater London or between such places and places outside Greater London.
- (3) Any arrangements under this paragraph may include provision for the making of payments by London Regional Transport to the other party to the arrangements.
- 3 London Regional Transport may store within Greater London or in any premises of theirs outside Greater London goods which have been or are to be carried by London Regional Transport or a subsidiary of theirs and, so far as any premises provided for the purposes of that or any other part of their business are not required for those purposes, may use those premises to provide facilities for the storage of other goods.

#### *Incidental amenities and facilities*

- 4 London Regional Transport may provide amenities or facilities, and construct works, for the purpose of making those amenities, facilities or works available for

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- the use of any other person in pursuance of any agreement under section 3(6) or (7) of this Act.
- 5 (1) In places where those using the services and facilities provided by London Regional Transport or any of their subsidiaries may require them, London Regional Transport may provide both for them and for other persons facilities for the purchase and consumption of food and drink, places for refreshment and such other amenities and facilities as appear to London Regional Transport appropriate.
- (2) Without prejudice to their powers under sub-paragraph (1) above, London Regional Transport may provide car parks and amenities or facilities for persons using them at any place convenient for prospective users of—
- (a) any services or facilities provided at another place by them, by any of their subsidiaries, or by any other person in pursuance of any agreement entered into by London Regional Transport by virtue of section 3(2) of this Act; or
- (b) any other London passenger services or London connecting services.
- (3) London Regional Transport may provide facilities for the parking or keeping of any public service vehicles used in the provision of any London passenger service or London connecting service at any place convenient for persons providing any such service.
- (4) In this paragraph—
- " London passenger service " means any service for the carriage of passengers within, to or from Greater London (whether or not provided by London Regional Transport, by any subsidiary of theirs, or by any such other person as is mentioned in sub-paragraph (2)(a) above); and
- " London connecting service" means any service for the carriage of passengers to or from any place outside Greater London but convenient for prospective users of London passenger services or for persons seeking to transfer from London passenger services to services for the carriage of passengers to destinations further afield (including destinations outside the United Kingdom).
- 6 (1) Where by virtue of any provision of paragraph 4 or 5 above London Regional Transport have power to provide any amenities or facilities (including any amenities or facilities of a particular description specifically mentioned in any such provision), they may enter into arrangements for the provision (including the management or operation) or (as the case may be) for the management or operation of any such amenities or facilities by any other person.
- (2) Any arrangements under this paragraph may include provision for the making of payments by London Regional Transport to, or, with the consent of the Secretary of State, for the giving of guarantees or any other financial assistance by London Regional Transport for the benefit of, the other party to the arrangements.
- (3) References in this Act to amenities or facilities provided by London Regional Transport include amenities or- facilities provided, or managed or operated, by any other person in pursuance of arrangements under this paragraph.

#### *Charges for services and facilities*

- 7 (1) London Regional Transport may make (or waive) such charges for their services and facilities, and make the use of those services and facilities subject to such terms and conditions, as they think fit.

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- (2) London Regional Transport's power under sub-paragraph (1) above is subject only to the provisions of this Act and to any local enactment so far as that local enactment expressly provides for freedom from charges or otherwise prohibits the making of any charge (as distinct from limiting the discretion of persons carrying on any particular undertaking as to the charges of any description to be made by them).
- (3) Neither London Regional Transport nor any subsidiary of theirs shall be regarded as a common carrier by rail or inland waterway.
- (4) No local enactment passed or made with respect to any particular undertaking so far as it imposes on persons carrying on that undertaking—
- (a) a duty to connect, or afford facilities for the connection of, any siding to a railway ; or
  - (b) a duty to permit privately owned railway wagons to be used on a railway owned or operated by them ; or
  - (c) a duty (otherwise than to a named person, or to the successor of a named person, or for the benefit of specified lands) to provide or maintain any other railway services or facilities (including the provision of stations, sidings or carriages and of any services, facilities or amenities connected with stations, sidings or carriages);
- or so far as it otherwise makes provision corresponding to any of the repealed enactments, shall apply to London Regional Transport.
- (5) The reference in sub-paragraph (4) above to the repealed enactments is a reference to the following enactments, that is to say—
- section 76 of the Railways Clauses Consolidation Act 1845 ;
  - section 69 of the Railways Clauses Consolidation (Scotland) Act 1845 ;
  - sections 2 and 7 of the Railway and Canal Traffic Act 1854 ;
  - sections 16 and 39 of the Railways Act 1921 ;
  - section 30 of the London Passenger Transport Act 1933 ;
  - section 39 of the Road and Rail Traffic Act 1933 ; and
  - section 22 of the Transport Act 1953 ;
- all of which made provision with respect to transport charges and facilities and were repealed by the 1962 Act.

#### *Other activities*

- 8 (1) London Regional Transport may develop their land in such manner as they think fit.
- (2) London Regional Transport may in particular—
- (a) develop for use by other persons land belonging to them which is not required for the purposes of their business ; and
  - (b) where the use of their land for the purposes of their business can be combined with its use by other persons, develop the land by constructing or adapting buildings on it for use wholly or partly by other persons ;
- with a view to the disposal of any right or interest in the land or (as the case may be) the buildings or any part of the buildings, after the development is carried out.
- (3) London Regional Transport shall not incur any substantial item of expenditure in developing their land for use for purposes which are not the purposes of their business without the consent of the Secretary of State ; and the Secretary of State may from



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time to time give directions to London Regional Transport indicating what is to be treated for the purposes of this paragraph as a substantial item of expenditure.

- (4) Subject to sub-paragraph (5) below, where London Regional Transport propose under this paragraph to develop any land for use otherwise than for the purposes of their business they may, with the consent of the Secretary of State, acquire by agreement adjoining land for the purpose of developing it together with the other land.
  - (5) The consent of the Secretary of State is not required to a proposal by London Regional Transport to acquire land in exercise of the power under sub-paragraph (4) above in any case where the Secretary of State has under sub-paragraph (3) above consented to the incurring by London Regional Transport of a substantial item of expenditure in developing their land as mentioned in sub-paragraph (3) which includes expenditure in carrying out that proposal.
- 9
- (1) London Regional Transport may manufacture and repair any spare parts and components or other supplementary machinery or equipment required for the purpose of the operation or repair of any existing vehicles or other equipment of theirs or of any subsidiary of theirs.
  - (2) London Regional Transport may repair any vehicles or other equipment, whether owned by them or any subsidiary of theirs or by any other person, and for the purpose of repairing any vehicle or equipment not belonging to them may supply any necessary parts and components for that vehicle or equipment.
  - (3) The exercise of any of London Regional Transport's powers under sub-paragraphs (1) and (2) above is subject to any directions given by the Secretary of State ; and, in addition, London Regional Transport shall from time to time submit to the Secretary of State for his approval proposals as to the manner in which—
    - (a) any activities of manufacture authorised by sub-paragraph (1) above ; or
    - (b) any activities authorised by sub-paragraph (2) above, so far as relates to repair of vehicles or equipment not belonging to them or any subsidiary of theirs ;are to be carried on by them or any such subsidiary, and shall carry on or (as the case may be) exercise their control over that subsidiary so as to ensure that the subsidiary carries on, those activities in accordance with the approval of the Secretary of State.
  - (4) The Secretary of State may approve any proposals submitted to him by London Regional Transport under sub-paragraph (3) above with such modifications or subject to compliance with such conditions as he thinks fit.
  - (5) The Secretary of State may at any time, after consultation with London Regional Transport, direct London Regional Transport to discontinue or (as the case may be) to exercise their control over any of their subsidiaries so as to require the subsidiary to discontinue, any of the activities which London Regional Transport or the subsidiary are carrying on in accordance with the approval of the Secretary of State given under this paragraph.
  - (6) In this paragraph—
    - (a) references to manufacture include references to construction and production; and
    - (b) references to repair include references to maintenance.

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- 10 London Regional Transport may let passenger vehicles on hire with or without other vehicles drawn by or with, or propelled with, those passenger vehicles for the carriage of goods.
- 11 (1) London Regional Transport may do anything which appears to them to be practicable and desirable for the purpose of promoting—
- (a) research on lines settled from time to time with the approval of the Secretary of State into matters affecting, or arising out of, the exercise of the functions of London Regional Transport or any subsidiary of theirs ; and
  - (b) the exploitation of the results of any research into any such matter (whether or not promoted by London Regional Transport) and of anything resulting from any idea affecting, or arising out of, the exercise of any of those functions.

In paragraph (b) above "exploitation" means the doing of any work requisite to enable the results or (as the case may be) the thing in question to be turned to account.

- (2) London Regional Transport may exercise their powers under sub-paragraph (1) above by carrying out any research or work for that purpose themselves or by arranging for it to be carried out or done by some other person with or without assistance (including financial assistance) from London Regional Transport.
  - (3) Nothing in this paragraph authorises London Regional Transport to do themselves, either directly or through a subsidiary, any work which London Regional Transport would not have power to do apart from this paragraph.
- 12 (1) London Regional Transport may provide for any person technical advice or assistance, including research services, as respects any matter in which London Regional Transport have skill or experience.
- (2) London Regional Transport may, on the request of any person for whom they are providing advice or assistance under sub-paragraph (1) above, establish for that person an undertaking carrying on any business in which London Regional Transport have skill or experience and manage it on his behalf.
- 13 (1) In this paragraph—
- (a) " relevant passenger service " means any London passenger service or London connecting service within the meaning of paragraph 5 above which is provided by any form of land or water transport (including, in either case, hovercraft); and
  - (b) " independent service " means any relevant passenger service provided otherwise than by London Regional Transport or the Railways Board or by any subsidiary of either of those authorities.
- (2) London Regional Transport may—
    - (a) provide information, in such manner and form as they think fit, with respect to any relevant passenger services ; and
    - (b) make such charges as they think fit with respect to the provision by them of information with respect to any independent services.
  - (3) London Regional Transport may enter into arrangements with any person providing independent services for the reciprocal provision, on such terms as may be provided for by the arrangements, of ancillary services by each party to the arrangements in respect of any relevant passenger services provided by the other.

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- (4) In sub-paragraph (3) above, " ancillary services" means, in relation to any relevant passenger services, the sale of tickets for the carriage of passengers on those services and the reservation of seats in vehicles used in the provision of those services.

*Acquisition of land*

- 14 (1) Subject to paragraph 16 below, London Regional Transport may acquire land for the purposes of their business (including the rehousing of the occupiers of dwellings acquired or to be acquired by London Regional Transport).
- (2) Where London Regional Transport propose to dispose of any of their land they may acquire by agreement adjoining land for the purpose of disposing of it together with the other land.
- (3) London Regional Transport shall not incur any substantial item of expenditure under sub-paragraph (2) above without the consent of the Secretary of State; and the Secretary of State may from time to time give directions to London Regional Transport indicating what is to be treated for the purposes of this paragraph as a substantial item of expenditure.
- 15 (1) Subject to the following provisions of this paragraph and paragraph 16 below, the Secretary of State may authorise London Regional Transport to purchase compulsorily any land which they require for the purposes of their business or that of any subsidiary of theirs.
- (2) The Acquisition of Land Act 1981 shall apply to any compulsory purchase by virtue of sub-paragraph (1) above.
- (3) Activities carried on by London Regional Transport by virtue of paragraph 12 above shall not be treated as forming part of the business of London Regional Transport for the purposes of sub-paragraph (1) above.
- (4) This paragraph does not authorise London Regional Transport to purchase compulsorily land which they have power to acquire by agreement under paragraph 8(4) or 14(2) above.
- (5) Subject to sub-paragraph (6) below, the power of purchasing land compulsorily in this paragraph includes power to acquire an easement or other right over land by the creation of a new right.
- (6) Sub-paragraph (5) above does not apply to an easement or other right over land which forms part of a common, open space or fuel or field garden allotment within the meaning of section 19 of the Acquisition of Land Act 1981.
- 16 Except as provided by paragraph 8(4) or 14(2) above, London Regional Transport do not have power to acquire land for purposes which are not related to any of the activities of London Regional Transport or any of their subsidiaries other than the development of land.

*Welfare and efficiency of employees*

- 17 (1) London Regional Transport may do anything they think fit for the purpose of advancing—
- (a) the skill of persons employed by them or by any subsidiary of theirs ;

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(b) the efficiency of the equipment of London Regional Transport or of any subsidiary of theirs or of the manner in which that equipment is operated ; including providing, or assisting others in providing, facilities for training, education and research.

- (2) London Regional Transport may provide houses, hostels and other similar accommodation for persons employed by them or by any subsidiary of theirs.
- (3) London Regional Transport may make housing loans to persons employed by them or by any subsidiary of theirs to assist them to acquire housing accommodation and may guarantee loans made by building societies and other bodies to such persons for housing purposes.

*Power to promote and oppose Bills*

- 18 London Regional Transport may, with the consent of the Secretary of State, promote Bills in Parliament and may oppose any Bill in Parliament.

*Other powers*

- 19 London Regional Transport may do anything necessary for the purpose of fulfilling a contract to which the Executive was a party immediately before the appointed day, notwithstanding that apart from this paragraph London Regional Transport would not have power to do that thing.
- 20 London Regional Transport may acquire any undertaking or part of an undertaking if the assets comprised in the undertaking or the part of the undertaking are wholly or mainly assets which London Regional Transport require for the purposes of their business.
- 21 For the purposes of their business, London Regional Transport may, with the consent of the Secretary of State, subscribe for or acquire any securities of a body corporate.
- 22 (1) London Regional Transport may dispose (whether absolutely or for a term of years) of any part of their undertaking or any property which in their opinion is not required by them for the purposes of their business and, in particular, may dispose of any interest in, or right over, any property which, subject to that interest or right, is retained by London Regional Transport.
- (2) London Regional Transport may supply to any person spare parts and components for passenger road vehicles disposed of by London Regional Transport in the exercise of their powers under sub-paragraph (1) above, or by a subsidiary of London Regional Transport, as being no longer required for the purposes of their business.
- 23 London Regional Transport may—
- (a) invest any sums not immediately required for the purposes of their business ; and
- (b) turn their resources to account so far as not required for those purposes.
- 24 London Regional Transport may do all other things which in their opinion are necessary or expedient to facilitate the proper carrying on of their business.

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*Supplementary*

- 25 If London Regional Transport engage, either directly or through a subsidiary, in any activities authorised by paragraph 8(2) or (4) or 10 above, they shall in carrying on those activities act as if they were a company engaged in a commercial enterprise or (as the case may be) shall exercise their control over that subsidiary so as to ensure that the subsidiary in carrying on those activities acts as a company so engaged.
- 26 Any specific power conferred on London Regional Transport by or by virtue of any provision of this Act to make any loan or give any guarantee or to subscribe for or acquire any securities shall not affect the power of London Regional Transport—
- (a) to lend money by way of investment or to subscribe for or acquire securities by way of investment; or
  - (b) to leave outstanding any loan made or guarantee given, or to retain any securities acquired, before the appointed day by the Executive or any predecessor in title of theirs.

SCHEDULE 3

Section 40(12).

THE LONDON REGIONAL PASSENGERS' COMMITTEE

*The chairman*

- 1 If the Secretary of State so determines, there shall be paid to the chairman of the Committee such remuneration as the Secretary of State may determine.
- 2 If the Secretary of State so determines in the case of a person who has been remunerated under paragraph 1 above, a pension shall be paid to or in respect of that person, or payments towards the provision of a pension to or in respect of that person shall be made, in accordance with the determination.
- 3 If a person in receipt of remuneration under paragraph 1 above as chairman ceases to hold that office, and it appears to the Secretary of State that there are special circumstances which make it right that that person should receive compensation, he shall be paid by way of compensation a sum of such amount as the Secretary of State may determine.

*Administration, personnel, etc.*

- 4 The Committee may, subject to the approval of the Secretary of State as to numbers, appoint such officers as appear to the Committee to be requisite for the performance of their functions.
- 5 (1) The Secretary of State shall provide the Committee with funds with which to pay—
- (a) to their members, such travelling and other allowances as the Secretary of State may determine ; and
  - (b) to their officers, such remuneration and such travelling and other allowances as the Committee may with the approval of the Secretary of State determine.
- (2) The Secretary of State shall provide the Committee with funds with which to defray such other expenses in connection with the Committee's functions as the Secretary of State may determine to be appropriate.

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- 6           The Secretary of State may make arrangements for the Committee to be provided with office accommodation.
- 7           (1) There shall be paid such pensions, or arrangements shall be made for the payment of such pensions, as the Secretary of State may determine to or in respect of such persons who are or have been officers of the Committee as the Secretary of State may determine.
- (2) The Secretary of State shall provide the Committee with funds with which to pay any such pension or to finance any such arrangements.

*Constitution and procedure*

- 8           (1) The persons appointed to be members of the Committee shall hold and vacate office in accordance with the terms of their respective appointments and shall, on ceasing to be members of the Committee, be eligible for re-appointment.
- (2) Any person so appointed may at any time by notice in writing to the Secretary of State resign his office.
- 9           (1) The Committee shall meet—
- (a) at least twice a year ; and
- (b) whenever convened by the chairman.
- (2) Without prejudice to the discretion of the chairman to call a meeting whenever he thinks fit, he shall call a meeting when required to do so by any three members of the Committee.
- (3) Minutes shall be kept of the proceedings of every meeting of the Committee.
- (4) Subject to the preceding provisions of this paragraph, the Committee shall determine their own procedure (including the quorum at meetings of the Committee).
- 10          The Committee may delegate the exercise and performance of any of their functions to such sub-committees of the Committee as they think fit.
- 11          The validity of any proceedings of the Committee shall not be affected by any vacancy amongst the members or by any defects in the appointment of a member.

*Amendment of other Acts*

- 12          In section 14(1) of the Chronically Sick and Disabled Persons Act 1970, after the words "Transport Users' Consultative Committees" there shall be inserted the words " the London Regional Passengers' Committee ".
- 13          In Part III of Schedule 1 to the House of Commons Disqualification Act 1975, there shall be inserted at the appropriate place in alphabetical order—
- “Chairman in receipt of remuneration of the London Regional Passengers' Committee”.

*Supplementary*

- 14          The consent of the Treasury shall be required for any determination or approval by the Secretary of State under this Schedule.
- 15          Any payment to be made under Paragraphs 1 to 3 above shall be made by the Secretary of State.

## SCHEDULE 4

Section 67(2), (3).

### OPERATION OF ENACTMENTS RELATING TO FORMER LONDON BOARD FUNCTIONS

#### PART I

##### PROVISIONS REFERRING TO THE LONDON BOARD OR THE EXECUTIVE

- 1 (1) In the provisions specified in sub-paragraph (2) below for any reference to the Executive substituted by paragraph 1 of Schedule 3 to the 1969 Act for a reference to (or a reference falling to be construed as a reference to) the London Board, there shall be substituted a reference to London Regional Transport and any subsidiary of theirs (within the meaning of this Act).
- (2) The provisions referred to in sub-paragraph (1) above are—
  - (a) the London Passenger Transport Act 1933 and the London Passenger Transport Acts 1933 to 1947 (provisions originally referring to the London Passenger Transport Board);
  - (b) the provisions of Parts I and III of Schedule 2 to the 1962 Act amending section 44(1)(b) of the Post Office Act 1953, section 40 of the British Transport Commission Act 1954 and section 66 of the British Transport Commission Act 1957 (by substituting references to certain of the Boards for references to the Commission);
  - (c) section 13(3)(c) of the Lee Valley Regional Park Act 1966 (provision or operation of passenger transport services by the Regional Park Authority); and
  - (d) section 3(3) of the London Cab Act 1968 (restrictions on the parking of cabs).
- 2 (1) In section 67 of the 1962 Act (byelaws for railways and railway shipping services)—
  - (a) in subsection (1), for the words from first " and " to " may each " there shall be substituted the word " may " and in paragraph (e) for the word " Boards " there shall be substituted the word " Board " ;
  - (b) after subsection (2) there shall be inserted the following subsection—

“(2A) London Regional Transport shall have the like power to make byelaws as is conferred on the Railways Board by subsections (1) and (2) of this section (taking the reference in subsection (2) to ships as including hovercraft within the meaning of the Hovercraft Act 1968); and accordingly, references in this section, as it applies to London Regional Transport, to "a Board" or "the Board " shall be read as references to London Regional Transport.”; and
  - (c) in subsections (15) and (16), for the references to the Executive substituted by paragraph 5(1) of Schedule 3 to the 1969 Act for express references to the London Board there shall be substituted references to London Regional Transport.
- (2) In paragraph 4 of Schedule 16 to the 1968 Act (which extends the power to make byelaws under section 67 of the 1962 Act), for sub-paragraph (5) (extension as to premises, etc., of subsidiaries) there shall be substituted the following sub-paragraph—

“(5) For the purposes of the said section 67, railways, railway premises, or officers and servants of, or ships (or hovercraft) operated by, a wholly

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owned subsidiary of the Railways Board or the Scottish Group or any subsidiary of London Regional Transport shall be deemed to be railways, railway premises, or officers and servants of, or ships (or hovercraft) operated by, that Board or Group or (as the case may be) by London Regional Transport.”.

- (3) In section 24(2) of the London Transport Act 1975, for the words " the Executive " there shall be substituted the words " London Regional Transport " .
- 3 (1) In section 32(1) of the General Rate Act 1967 (rating of railway or canal premises) and paragraph 1 of Schedule 5 to that Act, for the words "the London Transport Board" (in those provisions as originally enacted) there shall be substituted the words " London Regional Transport " .
- (2) In section 162 of the 1968 Act (which contains provisions affecting the operation of section 32 of the Act of 1967 mentioned above), in subsection (1), for the reference to the Executive substituted by virtue of paragraph 1(2)(j) of Schedule 3 to the 1969 Act for an express reference to the London Board there shall be substituted a reference to London Regional Transport.
- (3) Accordingly, in section 32 of and Schedule 5 to the Act of 1967 mentioned above and section 162 of the 1968 Act, references (however expressed) to a Board or Boards shall be read as, or as including, references to London Regional Transport where London Regional Transport are the authority, or one of the authorities, concerned ; but in the application in relation to London Regional Transport—
- (a) of subsection (4)(c) of the former section, as inserted by subsection (5) of the latter section; and
- (b) of subsection (3) of the latter section;
- the references to any powers conferred by section 48 or section 50(1) to (7) of the 1968 Act shall be read as references to any powers conferred on London Regional Transport by paragraph 9(2) or 12(1) of Schedule 2 to this Act.
- 4 (1) In sections 116 to 119 of the 1968 Act (duties of Boards with respect to bridges and highways on bridges), for any reference to the Executive substituted by virtue of paragraph 1(2)(l) of Schedule 3 to the 1969 Act for an express reference to the London Board there shall be substituted a reference to London Regional Transport.
- (2) In section 121 of that Act (application of the preceding sections of Part VIII of that Act to undertakers other than the Boards), for the reference in subsection (1) to the London Board there shall be substituted a reference to London Regional Transport.
- (3) Accordingly, in the sections of the 1968 Act mentioned above in this paragraph, references (however expressed) to a Board or Boards shall be read as, or as including, references to London Regional Transport where London Regional Transport are the authority, or one of the authorities, concerned.
- 5 In section 144 of the 1968 Act (transfer and disposal of historical records and relics)
- 
- (a) in subsections (3) and (7), for the references to the Executive substituted by virtue of paragraph 1(2)(n) of Schedule 3 to the 1969 Act for express references to the London Board there shall be substituted references to London Regional Transport;
- (b) in the former of those subsections, after the words " that is to say ", there shall be inserted the words " London Regional Transport " ;



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- (c) in the latter of those subsections, the following paragraph shall be inserted at the end—

“In relation to any document or object in the possession of London Regional Transport, references above in this subsection to the Board concerned are references to London Regional Transport.”; and

- (d) after that subsection there shall be inserted the following subsection—

“(7A) Neither subsection (4) nor subsection (7) above shall apply to a transfer by London Regional Transport of any record or relic or (as the case may be) of any document or object to any subsidiary of theirs ; but in relation to any such record, relic, document or object for the time being in the possession of a subsidiary or former subsidiary of London Regional Transport—

- (a) references to a relevant authority in subsections (5) and (6) of this section and references to London Regional Transport in subsection (7) of this section (except in the reference to an agreement between London Regional Transport and the Secretary of State) shall be read as including that subsidiary or former subsidiary ; and
- (b) the foregoing provisions of this subsection shall apply for the purposes of subsection (4) of this section (as it applies by virtue of subsection (5)) and for the purposes of subsection (7) of this section as if the reference to a transfer by London Regional Transport to any subsidiary of theirs were a reference to a transfer by the subsidiary or former subsidiary in question to any subsidiary of London Regional Transport.”.

## PART II

### PROVISIONS REFERRING TO THE BOARDS

- 6 (1) The provisions specified in sub-paragraph (2) below shall continue to have effect as if "the Boards" included London Regional Transport.
- (2) The provisions referred to in sub-paragraph (1) above are—
- (a) sections 52(4) and 83(7) of the 1962 Act (exclusion of the Boards from the definition of independent railway undertakings) ;
- (b) the provisions of Parts I and III of Schedule 2 to the 1962 Act (amendments of enactments referring to bodies superseded by the London Board) specified in sub-paragraph (3) below;
- (c) the provisions of Part IV of that Schedule applying enactments contained in the Railways Clauses Acts there mentioned to the Boards ;
- (d) Schedule 6 to the 1962 Act (distribution of Commission's undertaking), except paragraph 2(3) ; and
- (e) section 125 of the 1968 Act (powers of inspectors of railways as respects persons other than railway companies).
- (3) The provisions of Schedule 2 to the 1962 Act referred to in sub-paragraph (2)(b) above are those amending the following enactments, that is to say—

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- (a) section 2 of the Railway Fires Act 1905 ;
  - (b) paragraph (c) of the proviso to sections 5(4) and 8(4) of the Coast Protection Act 1949 ;
  - (c) section 13(1) of the Transport Charges &c. (Miscellaneous Provisions) Act 1954 ;
  - (d) section 11(2) of the Food and Drugs Act 1955 ;
  - (e) sections 54, 55, 56, 57 and 59 of the British Transport Commission Act 1949 ; and
  - (f) section 52 of the British Transport Commission Act 1953.
- (4) Paragraph 7(1) of Schedule 16 to the 1968 Act (references to be substituted in certain enactments by Schedule 2 to the 1962 Act to include references to any wholly owned subsidiary of any of the Boards) shall continue to have effect as if " the Boards " included London Regional Transport; but for the purposes of its application to London Regional Transport, that sub-paragraph shall have effect as if the words " wholly owned " were omitted.
- (5) The provisions mentioned in sub-paragraph (2)(a) and (c) above, and those specified in sub-paragraph (3)(b) above, shall also have effect, as from the appointed day, as if " the Boards " included any subsidiary of London Regional Transport.
- 7 (1) Section 86 of the 1962 Act and section 141 of the 1968 Act (application of the Town and Country Planning Acts) shall each continue to have effect as if " the Boards " included London Regional Transport.
- (2) For the purposes of its application to London Regional Transport, section 86 shall have effect as if the powers referred to in subsection (1)(a) included the powers conferred by paragraph 8 of Schedule 2 to this Act.
- (3) For the purposes of its application to London Regional Transport, section 141 shall have effect as if—
- (a) in subsection (2)(a) the words "wholly owned" (referring to a wholly owned subsidiary) were omitted ; and
  - (b) the powers referred to in paragraphs (a) and (c)(ii) of subsection (3) included the powers conferred by paragraph 14(2) of Schedule 2 to this Act.

### PART III

#### FURTHER PROVISIONS DERIVED FROM SCHEDULE 3 TO THE 1969 ACT

- 8 (1) The provisions specified in sub-paragraph (2) below, which confer functions on, or otherwise have effect in relation to, the Executive or (as the case may be) the designated company (within the meaning of the 1969 Act) shall continue to apply in relation to London Regional Transport or (as the case may be) in relation to that company, as they applied, and with respect to any area with respect to which they applied, immediately before the appointed day.
- (2) The provisions referred to in sub-paragraph (1) above are—
- (a) sections 104 and 109 of the London Passenger Transport Act 1934 ;
  - (b) sections 64 and 68(1) of the London Passenger Transport Act 1937;
  - (c) section 65 of the London Passenger Transport Act 1938 ;
  - (d) section 57 of the British Transport Commission Act 1949 ; and

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- (e) section 15 of the British Transport Commission Act 1951.
- (3) Those provisions shall also apply in relation to any subsidiary of London Regional Transport as they apply in relation to London Regional Transport; and section 104 of the Act of 1934 mentioned above (power to erect shelters, etc.) shall also apply (with any necessary modifications) with respect to the routes of any public passenger transport services operated by any person in pursuance of any agreement entered into by London Regional Transport by virtue of section 3(2) of this Act as it applies with respect to the routes of such services operated by London Regional Transport or any subsidiary of theirs.
- (4) The functions of the Executive under—
- (a) section 69 of the Act of 1937 mentioned above ; and
  - (b) section 25 of the London Transport Act 1969 ;
- shall continue to be functions of London Regional Transport, exercisable with respect to any area with respect to which they were exercisable immediately before the appointed day.
- (5) For the purposes of section 69 of the Act of 1937 mentioned above—
- (a) tramcars, trolley vehicles or public service vehicles of any subsidiary of London Regional Transport shall be treated as tramcars, trolley vehicles or public service vehicles of London Regional Transport; and
  - (b) proceedings brought by any such subsidiary shall be treated as brought by London Regional Transport.
- (6) For the purposes of section 25 of the London Transport Act 1969—
- (a) road transport garages, depots, bus stations, shelters or other road transport premises belonging to, leased to or worked by, and any officers and servants of, any subsidiary of London Regional Transport shall be treated respectively as road transport garages, depots, bus stations, shelters or other road transport premises belonging to, leased to or worked by, and officers and servants of, London Regional Transport ; and
  - (b) any such subsidiary may exercise the power under subsection (3) of that section in any case where the premises (within the meaning of that section) in relation to which the danger, annoyance or hindrance there mentioned arises are premises of that subsidiary and (in the case of any hindrance) the hindrance in question is hindrance to that subsidiary in the lawful use of those premises.
- 9 (1) The provisions of this paragraph shall have effect in relation to London Regional Transport in place of paragraph 5 of Schedule 16 to the 1968 Act (agreements by the Railways Board to make available the services of the transport police); and any agreement made under that paragraph, as it applied to the Executive, which is in force immediately before the appointed day shall have effect as if made under this paragraph.
- (2) The Railways Board may make an agreement with—
- (a) London Regional Transport; or
  - (b) any related company ;
- for making available to London Regional Transport or any subsidiary of theirs or (as the case may be) to that company, for such period, to such extent and on such terms as may be specified in the agreement, the services of the British Transport Police Force.

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- (3) Where such an agreement has been made with any related company members of the British Transport Police Force shall, notwithstanding the provisions of any other enactment but subject to the terms of the agreement, have the same powers to act as constables—
- (a) in relation to any premises of that company which have at any time been premises belonging or leased to, or worked by, London Regional Transport; and
  - (b) in relation to matters connected with or affecting that company or its undertaking ;
- as they would have if those premises belonged to London Regional Transport, or (as the case may be) if those matters were connected with or affected London Regional Transport or their undertaking.
- (4) The functions exercisable immediately before the appointed day by the Executive under the British Transport Police Force Scheme shall continue to be exercisable by London Regional Transport.
- (5) Section 70(5) to (7) of the 1962 Act shall continue to have effect as if " the Boards " included London Regional Transport.
- (6) Section 25 of the British Railways Act 1978 (which amends provisions of section 53 of the British Transport Commission Act 1949 as to the appointment and powers of members of the British Transport Police Force) shall continue to have effect in relation to London Regional Transport as one of the Boards ; and accordingly, in subsection (1), for the words " the London Transport Executive " there shall be substituted the words " London Regional Transport ".
- (7) In section 25(4) of the Act of 1978 mentioned above, as it applies in relation to London Regional Transport, for the reference to a wholly owned subsidiary there shall be substituted a reference to any subsidiary (whether wholly owned or not) of London Regional Transport (within the meaning of this Act).
- (8) The provisions of sub-paragraphs (4) to (7) above are subject to any agreement made under paragraph 5 of Schedule 16 to the 1968 Act or under this paragraph.
- (9) In this paragraph—
- (a) " the British Transport Police Force Scheme " means the Scheme set out in the Schedule to the British Transport Police Force Scheme 1963 (Approval) Order 1964 made under section 69 of the 1962 Act; and
  - (b) " the British Transport Police Force " means the force established by that Scheme.
- 10 (1) Paragraph 5(2) and (4) of Schedule 16 to the 1968 Act shall continue to apply to the Bus Company, for the purposes only of any transferred premises, as they apply to the Scottish Transport Group.
- (2) The functions exercisable immediately before the appointed day by the Bus Company under the British Transport Police Force Scheme shall continue to be exercisable by the Bus Company, for those purposes only.
- (3) Section 70(5) to (7) of the 1962 Act shall continue to have effect as if " the Boards " included, for those purposes only, the Bus Company.

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- (4) The provisions of sub-paragraphs (2) and (3) above are subject to any agreement made under paragraph 5 of Schedule 16 to the 1968 Act and to any adaptations made under sub-paragraph (4) of that paragraph.
- (5) In this paragraph and in paragraph 11 below, references to transferred premises are references to premises transferred under section 16(2) of the 1969 Act.
- (6) In this paragraph " the British Transport Police Force Scheme " has the same meaning as in paragraph 9 above.
- 11 (1) For the purpose only of applying section 54 of the British Transport Commission Act 1949 (powers of search and arrest) to transferred premises, the Bus Company shall continue to be treated as one of the Boards.
- (2) In section 20 of the London Transport Act 1982 (which continues section 54 in force as it applies, by virtue of paragraph 6 above, to London Regional Transport)—
- (a) the reference to the Executive shall be construed in accordance with sub-paragraph (4) below ; and
  - (b) the reference to paragraph 1(2)(g) of Schedule 3 to the 1969 Act shall be read as a reference to paragraph 6 above.
- (3) In any enactment passed after this Act which provides for section 54 to continue in force for a further period in its application to London Regional Transport, any reference to London Regional Transport shall be construed in accordance with sub-paragraph (4) below.
- (4) Any reference which falls to be construed in accordance with this sub-paragraph shall be read as a reference—
- (a) to London Regional Transport and any subsidiary of London Regional Transport; and
  - (b) for the purpose mentioned in sub-paragraph (3) above but for that purpose only, to the Bus Company and any wholly owned subsidiary of the Bus Company.

## SCHEDULE 5

Section 71(2).

### TRANSITIONAL PROVISIONS AND SAVINGS

#### *Accounts*

- 1 The first accounting year of London Regional Transport shall be the period beginning with 1st January 1984 and ending with 31st March 1985.

#### *Annual report*

- 2 In relation to the first accounting year of London Regional Transport, the reference in section 34(3)(d) of this Act to directions given by the Secretary of State under this Act shall be read as including a reference to directions given by the Greater London Council or by the Secretary of State under the 1969 Act

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*Status: This is the original version (as it was originally enacted).*

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*Revenue grants*

- 3 So far as relates to the first accounting year of London Regional Transport, section 15(9) and (10) of this Act shall apply in relation to sums received by the Executive by way of grants under section 3(1)(a) of the 1969 Act in aid of the revenues of the Executive (including grants made under that paragraph in respect of reductions in fares for children) as they apply in relation to sums received by way of grants under section 12 of this Act which are entered in the revenue account of London Regional Transport.

*Capital allowances*

- 4 Notwithstanding the substitution by paragraph 4 of Schedule 6 to this Act of a new paragraph (d) for the paragraph (d) inserted in section 83(4) of the Capital Allowances Act 1968 by section 3(2) of the 1969 Act, the Capital Allowances (Relevant Grants) (No. 2) Order 1969 (which was made under section 83(4) by virtue of the original paragraph (d))—
- (a) shall continue in force as if so made by virtue of the new paragraph (d); and
  - (b) shall have effect with the substitution, for the reference in Article 1 of that Order to a grant made under section 3 of the 1969 Act, of a reference to a grant made under section 12 of this Act.
- 5 Any reference in—
- (a) Article 1 of the Order mentioned in paragraph 4 above, as it has effect by virtue of that paragraph ; and
  - (b) section 83(4)(d) of the Capital Allowances Act 1968, as substituted by paragraph 4 of Schedule 6 to this Act;
- to a grant made under section 12 of this Act shall be read as including a reference to a grant made under section 3 of the 1969 Act.

*Pensions and pension schemes*

- 6 Any order made under section 74 of the 1962 Act (orders about pensions), as applied by section 18 of the 1969 Act, if and in so far as—
- (a) it is still in force immediately before the appointed day; and
  - (b) it would not by virtue of section 17(2)(b) of the Interpretation Act 1978 (which saves subordinate legislation on repeal and re-enactment of a provision if it could have been made under the provision as re-enacted) have effect as if made under section 74 as applied by section 25 of this Act;
- shall continue in force notwithstanding the repeal by this Act of section 18 of the 1969 Act.
- 7 (1) Without prejudice to section 13 of the Interpretation Act 1978 (anticipatory exercise of powers), orders may be made under section 74 of the 1962 Act, as it applies by virtue of sections 25 and 26 of this Act, before sections 25 and 26 come into force.
- (2) Any orders so made shall come into force on the appointed day.

*The Passengers' Committee*

- 8 (1) In this paragraph and paragraph 9 below—

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"the consultative body" means the body established by the Greater London Council under section 14 of the 1969 Act (users' consultative body); and

"the Area Committee" means the Area Transport Users' Committee referred to in section 41(1)(a) of this Act.

- (2) For the purpose of preparing for the transition from the law in force immediately before the appointed day to the provisions of sections 40 and 41 of this Act—
- (a) the consultative body shall send to the Executive; and
  - (b) the Area Committee shall send to the Railways Board;
- copies of any relevant representations or reference pending before them at the passing of this Act or made to them on or after the passing of this Act.
- (3) For the purpose mentioned in sub-paragraph (2) above, where in relation to any relevant representations or reference so pending or made that body or Committee determine that it is not desirable to make any recommendation under section 14(1) of the 1969 Act or (as the case may be) under section 56(4) of the 1962 Act, that body or Committee shall send to the Executive or (as the case may be) to the Railways Board written notification of that determination.
- (4) In this paragraph "relevant representations" means—
- (a) representations made to the consultative body as mentioned in section 14(1) of the 1969 Act; and
  - (b) representations made to the Area Committee as mentioned in section 56(4) of the 1962 Act;
- other than representations which that body or Committee have determined not to consider as being representations appearing to them to be frivolous.
- (5) In this paragraph "relevant reference" means any reference made—
- (a) to the consultative body by the Greater London Council or by the Executive under section 14(1)(b) of the 1969 Act; or
  - (b) to the Area Committee by the Secretary of State or by the Railways Board under section 56(4)(b) of the 1962 Act.
- (6) London Regional Transport and the Railways Board shall each send to the Passengers' Committee—
- (a) copies of any representations of which copies have been sent to them in pursuance of sub-paragraph (2) above which are pending before the consultative body or (as the case may be) the Area Committee at the appointed day; and
  - (b) copies of any relevant reference pending before the consultative body or (as the case may be) the Area Committee at the appointed day.
- (7) Any representations of which a copy is sent to the Passengers' Committee in accordance with sub-paragraph (6)(a) above shall be treated for the purposes of section 40(5)(a) of this Act as having been made to that Committee as there mentioned.
- (8) Any reference of which a copy is sent to the Passengers' Committee in accordance with sub-paragraph (6)(b) above shall be treated for the purposes of section 40(5)(b) of this Act as having been made to that Committee and (where it was made by the Greater London Council) as having been so made by London Regional Transport.

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- (9) For the purposes of this paragraph, any representations or reference made to the consultative body or (as the case may be) to the Area Committee before any relevant time are to be regarded as pending before that body or Committee at that time if that body or Committee have not before that time—
- (a) made, and sent to the Executive under section 14(1) of the 1969 Act or (as the case may be) to the Railways Board under section 56(4) of the 1962 Act, any recommendation with respect to the matter which is the subject of the representations or (as the case may be) of the reference; or
  - (b) determined that it is not desirable to make any such recommendation with respect to that matter and, in the case of any such determination on or after the passing of this Act, sent written notification of that determination to the Executive or the Railways Board in accordance with sub-paragraph (3) above.
- (10) In sub-paragraph (9) above " relevant time " means—
- (a) for the purposes of sub-paragraphs (2) and (3) above, the passing of this Act; and
  - (b) for the purposes of sub-paragraph (6) above, the appointed day.

*Compensation for chairmen of bodies superseded by the Passengers' Committee*

- 9 Where a person ceases to hold office (otherwise than on the expiration of his term of office)—
- (a) as chairman of the consultative body by virtue of the repeal by this Act of section 14 of the 1969 Act; or
  - (b) as chairman of the Area Committee by virtue of the dissolution of that Committee by section 41(1) of this Act;
- the Secretary of State shall pay to that person compensation of such amount, and on such terms, as the Secretary of State may, with the approval of the Treasury, determine.

*London bus services*

- 10 (1) Notwithstanding any repeal made by this Act, sections 23A and 23B of the 1969 Act (right of appeal where Executive refuses to make or vary an agreement authorising a London bus service)—
- (a) shall continue to apply in relation to any appeal made in accordance with section 23A which has not been determined or withdrawn before the appointed day and in relation to any appeal under section 23B from the decision of the Secretary of State on any such appeal under section 23A ; and
  - (b) subject to sub-paragraph (2) below, shall continue to authorise appeals to be brought on or after that day against a refusal or failure on the part of London Regional Transport to enter into an agreement to vary the terms of an agreement made under section 23(2) of that Act for the time being subsisting between any person and London Regional Transport.
- (2) Sub-paragraph (1)(b) above only applies to any agreement under section 23(2) which is in force immediately before the appointed day or is entered into by London Regional Transport in pursuance of any order made by the Secretary of State on any appeal to which sub-paragraph (1)(a) above applies.



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- (3) Notwithstanding any repeal made by this Act, but subject to sub-paragraph (4) below, paragraphs 4 to 13 of Schedule 4 to the 1969 Act (provisions with respect to consents for London bus services continued in force or granted under that Schedule) shall continue to apply in relation to—
- (a) any consent continued in force or granted under that Schedule which is in force immediately before the appointed day ; and
  - (b) any application for the grant of a consent under paragraph 4 or 5 of that Schedule (consents as of right for certain successors in title) which has not been determined before the appointed day and any consent granted (or deemed by virtue of paragraph 6 of that Schedule to have been granted) in pursuance of any such application.
- (4) A consent continued in force or granted under Schedule 4 to the 1969 Act may not be renewed under paragraph 8(1) of that Schedule except on an application made before the appointed day.
- (5) Where on the date when any agreement to which sub-paragraph (1)(b) above applies would apart from this sub-paragraph expire there is pending in relation to that agreement any such appeal as is mentioned in that sub-paragraph, that agreement shall not cease to be in force until the appeal is determined or withdrawn.
- (6) Where on the date when any consent within sub-paragraph (3)(a) or (b) above would apart from this sub-paragraph expire there is pending in relation to that consent—
- (a) any appeal under paragraph 7 or 9 of that Schedule (including paragraph 9 as applied by paragraph 10) ; or
  - (b) any appeal under paragraph 12 of that Schedule against the cancellation of that consent under that paragraph ;
- that consent shall not cease to be in force until the appeal is determined or withdrawn.
- (7) In any provision of the 1969 Act which by virtue of this paragraph continues to apply for any purpose after the appointed day, references to the Executive shall be read as references to London Regional Transport.
- (8) So far as relates to the purposes of section 23A of the 1969 Act as that section applies by virtue of this paragraph, section 248 of the Road Traffic Act 1960 (power of Secretary of State to hold inquiries) shall have effect as if the repeal made by this Act of words referring to section 23A had not been made.
- 11 (1) This paragraph applies to—
- (a) any agreement under section 23(2) of the 1969 Act to which paragraph 10(1)(b) above applies ; and
  - (b) any consent within paragraph 10(3)(a) or (b) above.
- (2) Subject to sub-paragraph (3) below, any agreement or consent to which this paragraph applies shall be treated for the purposes of this paragraph as remaining in force for an additional period of one month beginning with the day immediately following the date on which it expires (whether according to its terms or as extended by virtue of paragraph 10(5) or (6) above).
- (3) Sub-paragraph (2) above does not apply where in a case within paragraph 10(6)(b) above the cancellation of the consent takes effect on the determination of the appeal.
- (4) So long as any agreement or consent to which this paragraph applies remains in force, any person providing a London bus service in accordance with that agreement or

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consent shall be treated for the purposes of any reference in this or any other Act to any service or services provided in pursuance of an agreement entered into by virtue of section 3(2) of this Act (except the references in sections 8(a), 30(1)(a), 40(4)(b), and 51(3)(e) of this Act) as providing that service in pursuance of such an agreement (and shall accordingly be exempt by virtue of section 43(1) of this Act from the requirement of a road service licence in respect of that service and by virtue of subsection (2) of that section from the application to any such licence held by him which is within that subsection of any such condition as is there mentioned).

- (5) Subject to sub-paragraph (6) below, where at any time before any agreement or consent to which this paragraph applies ceases to be in force any person providing a London bus service in accordance with that agreement or consent applies to the metropolitan traffic commissioners for a road service licence in respect of that service, those commissioners shall grant that person a road service licence in accordance with paragraph 12 below.
  - (6) Sub-paragraph (5) above does not apply in relation to a person providing a London bus service in accordance with a consent to which this paragraph applies where—
    - (a) that consent has been cancelled under paragraph 12 of Schedule 4 to the 1969 Act; but
    - (b) the cancellation has not yet taken effect.
  - (7) Where an application is made under sub-paragraph (5) above for a road service licence, as respects any period between the date on which the agreement or consent in question expires or (if later) the date of the application and the date of the grant of a road service licence in pursuance of the application—
    - (a) a road service licence in the form applied for shall be regarded as having been granted to the applicant on the date of the making of the application ; and
    - (b) sub-paragraph (4) above shall not apply to the agreement or consent in question.
  - (8) In this paragraph " metropolitan traffic commissioners " means the traffic commissioners for the Metropolitan Traffic Area.
- 12 (1) Subject to the following provisions of this paragraph, a road service licence granted on an application under paragraph 11(5) above in respect of a London bus service (referred to below in this paragraph as a concessionary licence) shall authorise the continuation of that service on the same terms and conditions as applied under the agreement or consent in question immediately before the date of that application.
- (2) Any terms or conditions as to fares, or the minimum or maximum fares, which might be charged for that service under that agreement or consent shall not apply to the licence.
  - (3) The provisions of the Public Passenger Vehicles Act 1981 with respect to, and with respect to applications for and the grant of, road service licences are subject to the following provisions of this paragraph as they have effect in relation to, and in relation to an application for and the grant of, a concessionary licence.
  - (4) Sections 31(2) to (4), 34 and 35 of that Act (considerations as to initial grant of licence) shall not apply in relation to an application for a concessionary licence.
  - (5) Section 32(1) of that Act (attachment of conditions on granting licence) shall not apply on the grant of a concessionary licence, but any terms or conditions attached to any such licence by virtue of sub-paragraph (1) above may be altered or removed

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in accordance with that section and shall be treated for the purposes of subsection (5) of that section as attached under that section.

- (6) No condition as to fares shall be attached under section 33 of that Act to a concessionary licence at the time when it is granted.
- (7) The traffic commissioners granting a concessionary licence may not under section 37(2) of that Act determine that it shall continue in force only up to and including an earlier date than the one which would apply under that subsection apart from any such determination.

*Compensation for loss of employment, etc.*

- 13 (1) Any regulations made under section 37 of the 1969 Act, if and in so far as they are in force immediately before the appointed day—
- (a) shall continue in force notwithstanding the repeal by this Act of that section ; and
  - (b) may be varied or revoked by regulations made under section 48 of this Act as if they had been made by reason of any such transfer of property, rights or liabilities as is mentioned in section 48(1)(b).
- (2) Section 48(5) and (6) shall apply in relation to any such regulations as if—
- (a) that one of the relevant authorities required by those regulations to pay compensation under the regulations were the person primarily liable ; and
  - (b) the other two authorities were contributories.
- (3) In sub-paragraph (2) above " the relevant authorities " means London Regional Transport, the Railways Board and the Bus Company.

*Travel concessions*

- 14 Arrangements made under section 138 of the 1968 Act by virtue of section 40 of the 1969 Act (which extended section 138 to the Executive and to local authorities in London) shall be treated as made under section 50 of this Act.

*Commitments to pay grants*

- 15 (1) Where before 2nd December 1983 the Greater London Council have entered into any commitment (whether legally enforceable or not)—
- (a) to make any payment to any person (other than the Executive) under section 56(2) of the 1968 Act (grants by local authorities towards capital expenditure on public passenger transport facilities) ; or
  - (b) to make any grant to the Railways Board under section 3(1)(b) of the 1969 Act (grants in respect of passenger transport services, amenities or facilities required to meet the needs of Greater London) ;
- that commitment shall have effect, so far as relates to anything falling to be done in accordance with it on or after the appointed day, as if entered into by London Regional Transport.
- (2) London Regional Transport shall be entitled to recover from the Greater London Council an amount equal to any expenditure incurred by them in the initial year in making payments in pursuance of any such commitment.

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- (3) In sub-paragraph (2) above, "the initial year" has the same meaning as in section 49 of this Act.
- 16 Any obligation of the Greater London Council—
- (a) to make any payment to the Executive under section 56(2) of the 1968 Act; or
  - (b) to make any grant to the Executive under section 3(1)(a) of the 1969 Act; shall cease to have effect.

*Provisions as to transfer under 1969 Act*

- 17 Notwithstanding any repeal made by this Act, the provisions of Schedule 2 to the 1969 Act, as they had effect immediately before the appointed day, continue to apply for the purpose of determining the effect of or giving effect to, or making any provision consequential on or incidental to, any transfer under section 16 of that Act.

*Continuity of powers*

- 18 (1) Anything done by the Executive under a superseded enactment, so far as that thing is still in force, subsisting or effective immediately before the appointed day, shall be treated for the purposes of this Act—
- (a) as done; and
  - (b) if properly done under the superseded enactment, as properly done;
- by London Regional Transport under the corresponding enactment in this Act.
- (2) For the purposes of sub-paragraph (1) above a thing is properly done under an enactment if it is done with any approval or consent required by that enactment for the doing of that thing.
- (3) So far as relates to anything done before the appointed day under a superseded enactment, references in this Act to the approval or consent of the Secretary of State shall be read as references to any approval or consent required by the superseded enactment.
- (4) In this paragraph, "superseded enactment" means an enactment which—
- (a) is repealed by this Act or ceases to apply to London Regional Transport by virtue of any repeal made by this Act; and
  - (b) is replaced by an enactment in this Act which re-enacts it, with or without modification.

*Construction of references to London Regional Transport*

- 19 To avoid doubt, it is declared that any reference (express or implied) to anything done by or to, to the employment of, or to any agreement or other thing subsisting in relation to or otherwise affecting London Regional Transport—
- (a) in this Act; or
  - (b) in any statutory provision amended by this Act;
- is to be read, in relation to anything occurring before the appointed day, as a reference to anything done by or to, to the employment of, or (as the case may be) to any agreement or other thing subsisting in relation to or otherwise affecting London Regional Transport under their former name.

## SCHEDULE 6

Section 71(3)(a).

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART I

##### PUBLIC GENERAL ACTS

###### *The Explosives Act 1875*

- 1 (1) Section 35 of the Explosives Act 1875 (byelaws for regulating the conveyance, loading and unloading of explosives by railway and canal companies) shall not apply to any subsidiary of London Regional Transport which is a railway company within the meaning of that Act; but the duty to make byelaws under that section shall apply in relation to London Regional Transport as if any railway of any such subsidiary were a railway of theirs.
- (2) Without prejudice to their application by virtue of that section apart from this paragraph, byelaws made under that section by London Regional Transport shall also apply to any railway, and to the agents and servants, of any such subsidiary of London Regional Transport, and to the persons using any such railway or the premises connected with any such railway and occupied by or under the control of any such subsidiary.
- (3) Any byelaws made under that section which are in force and apply to the railways of the Executive immediately before the appointed day shall also apply as mentioned in sub-paragraph (2) above, and in those byelaws-
- (a) for references to the Executive there shall be substituted references to London Regional Transport or any such subsidiary (as the context may require) ; and
  - (b) references to London Transport railways shall be read as references to the railways of London Regional Transport and of any such subsidiary.
- (4) If London Regional Transport cease to be a railway company within the meaning of that Act, section 35 shall nevertheless continue to apply to them as if they were such a railway company, so far as relates to the making of byelaws to apply as mentioned in sub-paragraph (2) above in relation to any subsidiary of theirs which is such a railway company.

###### *The Regulation of Railways Act 1889*

- 2 Section 6 of the Regulation of Railways Act 1889 (chargeable fare to be printed or written on the face of passenger tickets issued by railway companies) shall not apply to passenger tickets issued by London Regional Transport or by any subsidiary of London Regional Transport in respect of any railways of London Regional Transport or (as the case may be) of that subsidiary.

###### *The Finance Act 1965*

- 3 In section 92 of the Finance Act 1965 (grants to operators of bus services towards duty charged on bus fuel), for subsection (8) there shall be substituted the following subsection—

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“(8) In this section—

' bus service' means a stage carriage service within the meaning of the Public Passenger Vehicles Act 1981 which is available to the general public and is neither an excursion or tour within the meaning of that Act nor a service as regards which the condition specified in section 2(3)(a) of that Act (long journeys only) is satisfied;

' operator', in relation to a bus service, means—

- (a) the holder of the road service licence under which the service is provided ; or
- (b) if the service is provided otherwise than under a road service licence by, or by a subsidiary of—
  - (i) London Regional Transport; or
  - (ii) the Executive for a designated area within the meaning of section 9(1) of the Transport Act 1968 ;

London Regional Transport or (as the case may be) that Executive or that subsidiary;

- (c) if the service is provided otherwise than under a road service licence by a person—
  - (i) in pursuance of an agreement under section 3(2) of the London Regional Transport Act 1984 ; or
  - (ii) in pursuance of an agreement under section 19(2) of the Transport Act 1968 or under a consent granted under Schedule 6 to that Act;

that person;

- (d) if and to the extent that the service operates within a trial area (within the meaning of the Public Passenger Vehicles Act 1981), the person by whom the service is provided;

' subsidiary' has the same meaning as for the purposes of the Transport Act 1968.”.

*The Capital Allowances Act 1968*

- 4 In section 83(4) of the Capital Allowances Act 1968 (grants relevant for the purpose of the withholding or withdrawal of investment and initial allowances), for the words inserted at the end of paragraph (c) by section 3(2) of the 1969 Act there shall be substituted the words “or

- (d) a grant made under section 12 of the London Regional Transport Act 1984 ”.

*The Transport Act 1968*

- 5 In section 138 of the 1968 Act (travel concessions)—

- (a) at the beginning of subsection (3) there shall be inserted the words " Subject to subsection (3A) below "; and
- (b) after that subsection there shall be inserted the following subsection—

“(3A) Arrangements may not be made by a local authority under subsection (3) of this section with London Regional Transport or any subsidiary of theirs, or with any person in respect of journeys on services provided by that person in pursuance of any

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agreement entered into by London Regional Transport by virtue of section 3(2) of the London Regional Transport Act 1984.”.

*The Post Office Act 1969*

- 6 In section 7(1A) of the Post Office Act 1969 (powers of the Post Office to perform services for other bodies)—
- (a) in paragraph (b) the words " the London Transport Executive and " shall be omitted ; and
  - (b) at the end of paragraph (f) (wholly owned subsidiaries of bodies within paragraphs (a) to (e)) there shall be inserted the words " or any subsidiary (whether wholly owned or not) of London Regional Transport (within the meaning of the London Regional Transport Act 1984) ".

*The Income and Corporation Taxes Act 1970*

- 7 In section 272(6) of the Income and Corporation Taxes Act 1970, (Passenger Transport Executives treated as companies for the purposes of provisions of Chapter II of Part XI of that Act about groups of companies)—
- (a) the words " the London Transport Executive and " shall be omitted; and
  - (b) for the words " each of those Executives " there shall be substituted the words " that Executive ".

*The Finance Act 1970*

- 8 In Schedule 3 to the Finance Act 1970 (application of Corporation Tax Acts in relation to Public Transport Authorities in London)—
- (a) in paragraph 1, in the definition of "the transferee", for the words " the Executive " there shall be substituted the words " London Regional Transport "; and
  - (b) paragraph 8(2) (which amends section 272(6) of the Income and Corporation Taxes Act 1970 and is superseded by paragraph 7 above) shall be omitted.

*The Town and Country Planning Act 1971*

- 9 In section 223(2)(b) of the Town and Country Planning Act 1971, (exception from rule that certain land is not to be treated as operational land), after the words " the Transport Act 1968 " there shall be inserted the words " or the Transport (London) Act 1969 ".

*The Road Traffic Act 1972*

- 10 In section 144(2) of the Road Traffic Act 1972 (exceptions from requirement of third-party insurance or security) paragraph (e) (exception for the Executive) shall be omitted.

*The Local Government Act 1974*

- 11 In Schedule 1 to the Local Government Act 1974 (existing grants for highways and public transport)—

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- (a) in paragraph 8(1)(a), for the words " the London Transport Executive" there shall be substituted the words " London Regional Transport ";
- (b) in paragraph 9(1)(a), the words " or the London Transport Executive " shall be omitted ; and
- (c) in paragraph 9(3), the words from " and " to the end of the paragraph shall be omitted.

*The Land Drainage Act 1976*

- 12 In section 112(3) of the Land Drainage Act 1976 (railway bridges, etc., not to be interfered with without consent), for the words " the London Transport Executive " there shall be substituted the words " London Regional Transport ".

*The Agricultural Holdings (Notices to Quit) Act 1977*

- 13 (1) In section 1(3) of the Agricultural Holdings (Notices to Quit) Act 1977 (tenancies excepted from requirements about length of notice to quit), for the words " the London Transport Executive " (in each place where they occur) there shall be substituted the words " London Regional Transport ".
- (2) After that subsection there shall be inserted the following subsection—
- “(3A) Subsection (3) above shall have effect in relation to a subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984) as it has effect in relation to London Regional Transport, so far as relates to land transferred to London Regional Transport as there mentioned and subsequently transferred to that subsidiary by a scheme made under section 4 or 5 of that Act.”.

*The Transport Act 1978*

- 14 In section 21 of the Transport Act 1978 (travel concessions for transferred employees), for the words "the London Transport Executive " there shall be substituted the words " London Regional Transport ".

*The Competition Act 1980*

- 15 (1) In section 11(3) of the Competition Act 1980 (persons who may be the subject of a reference to the Monopolies and Mergers Commission)—
- (a) in paragraph (b), for the words " the Transport (London) Act 1969 " there shall be substituted the words " the London Regional Transport Act 1984 "; and
  - (b) after that paragraph there shall be inserted the following paragraph—
    - “(bb) any person who provides a railway passenger service in pursuance of an agreement entered into by London Regional Transport by virtue of section 3(2) of the last-mentioned Act; or”.
- (2) In subsection 4 of that section, after the words " subsection (3)(b) there shall be inserted the words " or (bb) ".
- (3) In subsection (5) of that section—



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- (a) after the words " subsection (3)(b)" there shall be inserted the words " or (bb) "; and
- (b) for the words " that subsection " there shall be substituted the words " either of those paragraphs ".

*The Highways Act 1980*

- 16 In section 115H(4) of the Highways Act 1980 (council not to exercise certain powers in relation to certain highways maintained by other authorities without obtaining the consent of those authorities)—
- (a) for the words " the London Transport Executive" there shall be substituted the words " London Regional Transport or any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984) "; and
  - (b) for the words "the Executive" there shall be substituted the words " London Regional Transport or that subsidiary of London Regional Transport ".
- 17 In section 115J(8) of that Act (payment of arbitrator's expenses and remuneration), for the words " the London Transport Executive " there shall be substituted the words " London Regional Transport or any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984) ".
- 18 In section 157(5) of that Act (schemes for repair and improvement works in Greater London), for the words " the London Transport Executive " there shall be substituted the words " London Regional Transport ".
- 19 In section 169(6) of that Act (exceptions to provisions controlling scaffolding on highways), for the words " the London Transport Executive " there shall be substituted the words " London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984) ".
- 20 In section 219(4)(i) of that Act (exceptions to requirements that owners of new buildings pay for street works) in sub-paragraph (i)—
- (a) for the words " the London Transport Executive " there shall be substituted the words " London Regional Transport ";
  - (b) the word " or " (in the first place where it occurs) shall be omitted; and
  - (c) at the end there shall be added the words " other than London Regional Transport, or any subsidiary (whether wholly-owned or not) of London Regional Transport (within the meaning of the London Regional Transport Act 1984) ".
- 21 In section 329(4) of that Act (construction of references to property of certain undertakers), in the second paragraph—
- (a) for the words " the London Transport Executive" there shall be substituted the words " London Regional Transport ";
  - (b) the word " or " (in the first place where it occurs) shall be omitted ; and
  - (c) at the end there shall be added the words " other than London Regional Transport, or any subsidiary (whether wholly-owned or not) of London Regional Transport (within the meaning of the London Regional Transport Act 1984) ".

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*The Public Passenger Vehicles Act 1981*

- 22 In section 27(3) of the Public Passenger Vehicles Act 1981 (duty to make certain returns not to apply to the Railways Board or the Executive), for the words "the London Transport Executive " there shall be substituted the words " London Regional Transport or to any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984) ".

*The Animal Health Act 1981*

- 23 In section 38(2) of the Animal Health Act 1981 (food and water for animals to be provided at railway stations)—
- (a) in paragraph (b), for the words "the London Transport Executive " there shall be substituted the words " London Regional Transport "; and
  - (b) in paragraph (i), after the word " include " there shall be inserted the words " in the case of those mentioned in paragraph (a) " and at the end there shall be added the words " and in the case of London Regional Transport, any subsidiary (whether wholly-owned or not) of London Regional Transport (within the meaning of the London Regional Transport Act 1984) ".

*The Transport Act 1981*

- 24 In paragraph 31(4) of Schedule 3 to the Transport Act 1981 (public transport authorities with whom Associated British Ports may co-operate) for the words " the London Transport Executive " there shall be substituted the words " London Regional Transport ".

*The Local Government (Miscellaneous Provisions) Act 1982*

- 25 In section 41(12)(c) of the Local Government (Miscellaneous Provisions) Act 1982 (exceptions to provisions about lost property), for the words from " the London Transport Executive " to the end of the paragraph there shall be substituted the words " or under the control of London Regional Transport or of any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984) ".

*The Local Government Finance Act 1982*

- 26 In section 31 of the Local Government Finance Act 1982 (passenger transport executives and their subsidiaries)—
- (a) in subsection (1) the words " and the London Transport Executive " shall be omitted ;
  - (b) subsection (2)(b) and the word " and " immediately preceding it shall be omitted; and
  - (c) in subsection (3) the words from first " and " to " 1969 " shall be omitted.

*The Criminal Justice Act 1982*

- 27 In section 39(1)(b)(ii) of the Criminal Justice Act 1982 (certain special cases excepted from the general increase of fines under section 38 of that Act), the reference to section 12(1) of the London Transport Act 1977 shall be read as including section 12(1) as extended by Part II of this Schedule.

*The Transport Act 1983*

- 28 In section 1 of the Transport Act 1983 (interpretation of Part I)—
- (a) the following provisions shall be omitted, that is to say—
    - (i) the definition of " the Act of 1969 " ;
    - (ii) in the definitions of " Executive " and " Authority ", paragraph (b) and the word " and " immediately preceding it; and
    - (iii) in the definition of " revenue grants ", the words from " or section " to " 1969 " ; and
  - (b) for the words (in the last-mentioned definition) " those provisions" there shall be substituted the words " that section ".
- 29 In section 2 of that Act (financial duty of Executive)—
- (a) in subsection (4), for the words from " under Part II" to " 1969 " there shall be substituted the words " or under Part II of the Act of 1968 "; and
  - (b) in subsection (5), the words from " and the " to the end shall be omitted.

*The Food Act 1984*

- 30 (1) In section 11(4)(a) of the Food Act 1984 (vehicles whose detention by an officer of a council is not authorised under that section), for the words from " Boards " to " subsidiaries " there shall be substituted the words " transport authorities mentioned in subsection (4A) ".
- (2) The following subsection shall be inserted after section 11(4)—
- “(4A) The transport authorities referred to in subsection (4)(a) are—
- (a) the Boards established by the Transport Act 1962 and any wholly owned subsidiary of any of those Boards ; and
  - (b) London Regional Transport and any subsidiary (whether wholly owned or not) of London Regional Transport (within the meaning of the London Regional Transport Act 1984).”.

31 In Schedule 11 to that Act (repeals and revocations), after the entry relating to the Health Services and Public Health Act 1968 there shall be inserted the following words—

“1968 c. 73.

Transport Act 1968.

In Schedule 16, paragraph 7(2)(d).”

**PART II**

LOCAL ACTS THE LONDON TRANSPORT ACT 1965

- 32 In section 34 of the London Transport Act 1965 (increase of penalties under enactments relating to railways)—
- (a) for the words " the Board " (in the first place where they occur) there shall be substituted the words "London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984)
  - (b) for those words (wherever else occurring) there shall be substituted the words " London Regional Transport or any such subsidiary ; ".

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*The Greater London Council (General Powers) Act 1969*

- 33 In section 18A(2)(c) of the Greater London Council (General Powers) Act 1969 (definition of apparatus for purposes of exception from prohibition on use of vehicles on walkways)—
- (a) for the words " the London Transport Executive" there shall be substituted the words " London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984) "; and
  - (b) for the words "they are" there shall be substituted the words " London Regional Transport or (as the case may be) that subsidiary is ".

*The Greater London Council (General Powers) Act 1970*

- 34 In section 15(5) of the Greater London Council (General Powers) Act 1970 (exemption from requirement of a licence to erect scaffolding), for the words " or the London Transport Executive " there shall be substituted the words " London Regional Transport or any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984) ".

*The London Transport Act 1971*

- 35 In section 26(1)(a) of the London Transport Act 1971 (arrest without warrant on suspicion of contravention of byelaw), for the words " the Executive " there shall be substituted the words " London Regional Transport ".
- 36 In section 27(2) of that Act (extension of power to place advertisements on shelters, etc.) for the words " the Executive " there shall be substituted the words " London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984) ".

*The Greater London Council (General Powers) Act 1974*

- 37 In sections 14(7)(c) and 15(7)(b) of the Greater London Council (General Powers) Act 1974 (definition of apparatus for the provisions to which they respectively apply)—
- (a) for the words " or the London Transport Executive " there shall be substituted the words " London Regional Transport or any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984) " ; and
  - (b) for the words " they are " there shall be substituted the words " that Board or (as the case may be) London Regional Transport or that subsidiary is ".
- 38 In section 21 of that Act (removal of vehicles for street cleansing), in the definition of " vehicle " in subsection (7), for the words " the London Transport Executive or " there shall be substituted the words " London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984) or by ".

*The London Transport Act 1976*

- 39 In section 17(2) of the London Transport Act 1976 (effect of certain regulations about public service vehicles in relation to the Executive), for the words " the Executive " there shall be substituted the words " London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984) ".

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- 40 In section 18 of that Act (microfilming of documents—
- (a) for the words " the Executive " (wherever occurring) there shall be substituted the words " London Regional Transport "; and
  - (b) at the end there shall be added the following subsection—

“(6) This section applies in relation to documents of any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984) as it applies in relation to documents of London Regional Transport; and, accordingly, references in subsections (1) to (5) above to London Regional Transport shall be read as including references to any such subsidiary.”.

*The London Transport Act 1977*

- 41 In section 12(1) of the London Transport Act 1977 (increase of fines under enactments relating to railways)—
- (a) for the words " the Executive " (in the first place where they occur) there shall be substituted the words " London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984) "; and
  - (b) for those words (in the second place where they occur) there shall be substituted the words " London Regional Transport or of any such subsidiary ".

*The Greater London Council (General Powers) Act 1979*

- 42 For paragraph (b) of the proviso to section 5(2) of the Greater London Council (General Powers) Act 1979 (consent required for advertisements, etc., in streets) there shall be substituted the following paragraph—
- “(b) the British Railways Board, London Regional Transport or (as the case may be) any subsidiary of London Regional Transport (within the meaning of the London Regional Transport Act 1984) in the case of any street which belongs to or is repairable by that Board, by London Regional Transport or by that subsidiary.”.

*The London Transport Act 1980*

- 43 In section 24 of the London Transport Act 1980 (distance markers) subsections (1) and (2) shall apply to any subsidiary of London Regional Transport as they apply to London Regional Transport; and accordingly—
- (a) in subsection (1), for the words " the Executive " there shall be substituted the words " London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984) " and
  - (b) in subsection (2)—
    - (i) for the words " The Executive " (in the first place where they occur) there shall be substituted the words " London Regional Transport or any such subsidiary " ; and
    - (ii) for those words (in the second place where they occur) there shall be substituted the words " London Regional Transport or (as the case may be) of that subsidiary ".

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- 44 In section 25 of that Act (increase of fines under sections 24 and 103 of the Railways Clauses Consolidation Act 1845)—
- (a) for the words " the Executive " (in the first place where they occur) there shall be substituted the words " London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984) "; and
  - (b) for those words (in the second place where they occur) there shall be substituted the words " London Regional Transport or of any such subsidiary ".

*The London Transport Act 1982*

- 45 In section 19 of the London Transport Act 1982 (lost property)—
- (a) for the words " the Executive " (in the first place where they occur) there shall be substituted the words " London Regional Transport or any subsidiary of theirs (within the meaning of the London Regional Transport Act 1984) "; and
  - (b) for those words (wherever else occurring) there shall be substituted the words " London Regional Transport ".
- 46 In Schedule 2 to that Act (further provisions with respect to lost property), for the words " the Executive " (wherever occurring) there shall be substituted the words " London Regional Transport ".

*The London Transport (General Powers) Act 1982*

- 47 In section 15(2) of the London Transport (General Powers) Act 1982 (under which the rules of the pension scheme established by the London Transport (Male Wages Grades Pensions) Order 1966 may be changed), for the words " the Executive " there shall be substituted the words " London Regional Transport ".

SCHEDULE 7

Section 71(3)(b).

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
<a href="#">1933 c. 14.</a>	The London Passenger Transport Act 1933.	Section 19(2). Section 24.
<a href="#">1937 c. xc.</a>	The London Passenger Transport Act 1937.	Section 68(2).
<a href="#">1939 c. lxxxix.</a>	The London Passenger Transport Act 1939.	Section 49.
<a href="#">1960 c. 16.</a>	The Road Traffic Act 1960.	In section 248, the words " or section 23A of the Transport (London) Act 1969 ".
<a href="#">1962 c. 46.</a>	The Transport Act 1962.	Section 67(14). Section 68.

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Chapter	Short Title	Extent of Repeal
		In Part I of Schedule 2, the entry relating to the London Passenger Transport Act 1933.
		In Part II of Schedule 2, the entry relating to the London Passenger Transport Acts of 1934 to 1947.
1963 c. 33.	The London Government Act 1963.	Section 72(2)(h).
		In Schedule 2, in paragraph 25B, the words from " (a) " to " (b) ", and paragraph 29A.
1968 c. 73.	The Transport Act 1968.	In section 56(6)(b) the words " the Greater London Council ".
1969 c. 1.	The London Transport Act 1969.	Section 26.
1969 c. 35.	The Transport (London) Act 1969.	Parts I to IV. Sections 37 to 41. Section 44. In section 45(1) all the definitions except the following, that is to say, the definitions of " the Act of 1967 ", " appointed day ", " charges ", " the Common Council", " the Council ", " Greater London", "liability" and " the Minister ".
		In section 47(3), paragraphs (a) and (b). Schedules 1 to 4.
1969 c. 48.	The Post Office Act 1969.	In section 7(1A)(b), the words " the London Transport Executive and ".
1970 c. 10.	The Income and Corporation Taxes Act 1970.	In section 272(6) the words " the London Transport Executive and ".
1970 c. 24.	The Finance Act 1970.	In section 16(1), the words " or of the London Transport Executive" and paragraph (b).

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Chapter	Short Title	Extent of Repeal
1972 c. 20.	The Road Traffic Act 1972.	In Schedule 3, paragraph 8(2).
1972 c. xlii.	The London Transport Act 1972.	Section 144(2)(e).
1972 c. 70.	The Local Government Act 1972.	Sections 21 and 22.
1974 c. 7.	The Local Government Act 1974.	Section 81(3A).
1975 c. ix.	The London Transport (Additional Powers) Act 1975.	In section 140(4), the words from "local authority" to "expression".
1978 c. 44.	The Employment Protection (Consolidation) Act 1978.	In Schedule 1, in paragraph 9(1)(a) the words "or the London Transport Executive", and in paragraph 9(3) the words from " and " to the end of the paragraph.
1979 c. xxiii.	The Greater London Council (General Powers) Act 1979.	In Schedule 6, paragraph 23.
1980 c. 34.	The Transport Act 1980.	In Schedule 7, paragraph 11.
1980 c. xxxii.	The London Transport Act 1980.	The whole Act.
1980 c. 65.	The Local Government, Planning and Land Act 1980.	In Schedule 16, paragraph 7.
1980 c. 66.	The Highways Act 1980.	Section 4.
		Section 35.
		Section 62(1).
		In Part II of Schedule 5, the entry relating to the Finance Act 1965.
		Section 23.
		In section 4, in subsection (4), paragraph (f) and in subsection (5), paragraph (b) and the word " and" immediately preceding it.
		In Schedule 13, paragraphs 9 and 10.
		In section 219(4)(i), in sub-paragraph (i), the word " or " where it first occurs.



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Chapter	Short Title	Extent of Repeal
1981 c. 14.	The Public Passenger Vehicles Act 1981.	<p>In section 329(4), the word " or " where it first occurs.</p> <p>In section 42(2), the words from " and section 23(2) " to " services ".</p> <p>In section 45(5), the words from " but where " to the end of the subsection.</p> <p>In Schedule 7, paragraphs 3 and 11.</p>
1982 c. 12.	The Travel Concessions (London) Act 1982.	The whole Act.
1982 c. 32.	The Local Government Finance Act 1982.	<p>In section 31, in subsection (1) the words " and the London Transport Executive ", in subsection (2) paragraph (b) and the word " and " immediately preceding it, and in subsection (3) the words from first " and " to " 1969 ".</p> <p>In section 33(4)(b), the words " and the London Transport Executive ".</p> <p>In Schedule 5, paragraph 4.</p>
1982 c. 49.	The Transport Act 1982.	In section 3(5), the definition of " county council ".
1983 c. 10.	The Transport Act 1983.	<p>In section 1, the definition of "the Act of 1969", in the definitions of " Executive " and " Authority ", paragraph (b) and the word " and " immediately preceding it, and in the definition of " revenue grants ", the words from " or section " to " 1969 ".</p> <p>In section 2(5), the words from " and the " to the end.</p> <p>In section 3(3), the words " or section 5(1) of the Act of 1969 ".</p> <p>In section 4(6), the words from " or sections " to the end.</p>

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*Status: This is the original version (as it was originally enacted).*

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Chapter	Short Title	Extent of Repeal
		<p>In section 6, in subsection (6), paragraph (b) and the word " and " immediately preceding it, and in subsection (7) the words " or section 11(2)(d) of the Act of 1969 ".</p> <p>In section 7, in subsection (2), the words " or section 15 of the Act of 1969" and in subsection (3) the words " or section 11(6) of the Act of 1969 ".</p> <p>In section 8, in subsection (5), the words " or section 15 of the Act of 1969", and subsection (6).</p> <p>In section 9, subsections (4) and (5).</p> <p>In section 10(1), in paragraph (a), the words from " section 9(1)" to "1969" and the words " to (5)", and in paragraph (b), the words from " section 9(1) " to " 1969 ".</p>
1983 c. 55.	The Value Added Tax Act 1983.	In section 20(3)(d), the words " the London Transport Executive and ".
1984 c. 27.	The Road Traffic Regulation Act 1984.	In Schedule 13, paragraph 8.
1984 c. 30.	The Food Act 1984.	In Schedule 10, paragraph 16.