

SCHEDULES

SCHEDULE 10

Section 154.

TRANSPORT FOR LONDON

Status and capacity

- 1 (1) Transport for London shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.
- (2) The members and staff of Transport for London shall not be regarded as civil servants and the property of Transport for London shall not be regarded as property of, or held on behalf of, the Crown.
- (3) It shall be within the capacity of Transport for London to do such things and enter into such transactions as are calculated to facilitate, or are conducive or incidental to, the discharge of any of its functions.

Membership of Transport for London

- 2 (1) Subject to sub-paragraph (2), Transport for London shall consist of not less than eight nor more than fifteen members, all of whom shall be appointed by the Mayor.
- (2) The Mayor may choose to be a member of Transport for London and where he does so he shall appoint not less than seven nor more than fourteen other members under sub-paragraph (1) above.
- (3) In appointing a person under sub-paragraph (1) above, the Mayor shall have regard to the desirability of ensuring that the members of Transport for London between them have experience in—
 - (a) transport (including in particular the impact of transport on business and the environment),
 - (b) finance and commerce,
 - (c) national and local government,
 - (d) the management of organisations, and
 - (e) the organisation of trade unions, or matters relating to workers generally,and that the membership of Transport for London represents the interests in relation to transport of women and of persons who require transport which is accessible to persons with mobility problems.
- (4) A person may not be appointed to be a member of Transport for London if he is—
 - (a) an Assembly member,
 - (b) a Member of the House of Commons,
 - (c) a Member of the House of Lords,
 - (d) a Member of the European Parliament,
 - (e) a member of the National Assembly for Wales,

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- (f) a member of the Scottish Parliament,
- (g) a member of the New Northern Ireland Assembly, or
- (h) a member of a principal council.

- (5) If, at any time after he is appointed, a member of Transport for London becomes a person within sub-paragraph (4)(a) to (h) above, he shall cease to be such a member.
- (6) The terms and conditions of appointment of a member of Transport for London (including conditions as to remuneration) shall be such as the Mayor may determine.
- (7) The Mayor may by notice to a member of Transport for London remove that member from office.

Chairman and deputy chairman

- 3 (1) Subject to sub-paragraph (2), the Mayor shall designate—
 - (a) one of the members of Transport for London to be chairman of Transport for London, and
 - (b) another of the members to be deputy chairman of Transport for London.
- (2) Where the Mayor is a member of Transport for London, he shall be the chairman.

Staff

- 4 (1) Transport for London may appoint such staff as it considers necessary for assisting it in the exercise of any of its functions.
- (2) The staff of Transport for London shall be appointed on such terms and conditions (including conditions as to remuneration) as Transport for London shall determine.

Proceedings of Transport for London

- 5 (1) Subject to the provisions of this Schedule, Transport for London may regulate its own procedure and that of committees of Transport for London and sub-committees of such committees (and in particular may specify a quorum for meetings).
- (2) The validity of any proceedings of Transport for London shall not be affected—
 - (a) by any vacancy among the members or in the office of chairman or deputy chairman, or
 - (b) by any defect in the appointment of any person as a member, or as chairman or deputy chairman, of Transport for London.

Membership of committees and sub-committees

- 6 (1) A committee of Transport for London or a sub-committee of such a committee may include persons who are not members of Transport for London.
- (2) A person who is a member of a committee of Transport for London or a sub-committee of such a committee but is not a member of Transport for London shall be a non-voting member of the committee or sub-committee.

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Delegation by Transport for London

- 7 (1) Subject to any express provision contained in this Act or any Act passed after this Act, Transport for London may arrange for any of its functions to be discharged on its behalf by—
- (a) any committee of Transport for London,
 - (b) any sub-committee of such a committee,
 - (c) any wholly owned subsidiary (within the meaning of section 736(2) of the Companies Act 1985) of Transport for London,
 - (d) any member or officer of Transport for London, or
 - (e) any body of members or officers, or members and officers, of Transport for London.
- (2) Where Transport for London makes arrangements under this paragraph for the discharge of any function, the person or body by whom the function is to be discharged shall exercise the function subject to any conditions imposed by Transport for London.
- (3) Arrangements made by Transport for London for the discharge of functions under this paragraph shall not prevent Transport for London from exercising those functions.

Delegation by committees, sub-committees, etc

- 8 (1) Where Transport for London makes arrangements for the discharge of any function by a committee under paragraph 7 above, the committee may (subject to any conditions imposed by Transport for London) arrange for the discharge of the function on its behalf by—
- (a) any sub-committee of the committee,
 - (b) any member or officer of Transport for London, or
 - (c) any body of members or officers, or members and officers, of Transport for London.
- (2) Where—
- (a) Transport for London makes arrangements for the discharge of any function by a sub-committee under paragraph 7 above, or
 - (b) a committee of Transport for London makes arrangements for the discharge of any function by a sub-committee under sub-paragraph (1) above,
- the sub-committee may (subject to any conditions imposed by Transport for London or the committee) arrange for the discharge of the function on its behalf by any member or officer of Transport for London, or any body of members or officers, or members and officers, of Transport for London.
- (3) Where a committee or sub-committee makes arrangements under this paragraph for the discharge of any function, the person or body by whom the function is to be discharged shall exercise the function subject to any conditions imposed by the committee or sub-committee.
- (4) Arrangements made by a committee or sub-committee for the discharge of functions under this paragraph shall not prevent the committee or sub-committee from exercising those functions.

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Joint committees with local authorities

- 9 (1) Transport for London shall be treated as a local authority for the purposes of the following provisions of the Local Government Act 1972 (arrangements for discharge of functions of a local authority by joint committees with other local authorities)—
- (a) section 101(5),
 - (b) section 102 apart from subsection (1)(a) and subsection (4) to the extent that it would permit Transport for London to appoint a committee which is not a joint committee, and
 - (c) section 103.
- (2) Nothing in section 13 of the Local Government and Housing Act 1989 shall require a person to be treated as a non-voting member of a committee appointed by Transport for London and one or more other local authorities by virtue of section 101(5) of the Local Government Act 1972 if that person—
- (a) is appointed to the committee by Transport for London, and
 - (b) is not a member of Transport for London.

Minutes

- 10 (1) Minutes shall be kept of proceedings of Transport for London, of its committees and of sub-committees of such committees.
- (2) Minutes of any such proceedings shall be evidence of those proceedings if they are signed by a person purporting to have acted as chairman of the proceedings to which the minutes relate or of any subsequent proceedings in the course of which the minutes were approved as a correct record.
- (3) Where minutes of any such proceedings have been signed as mentioned in sub-paragraph (2) above, those proceedings shall, unless the contrary is shown, be deemed to have been validly convened and constituted.

Application of seal and proof of instruments

- 11 (1) The application of the seal of Transport for London shall be authenticated by the signature of any member, officer or member of staff of Transport for London who has been authorised for the purpose, whether generally or specially, by Transport for London.
- (2) In sub-paragraph (1) above the reference to the signature of a person includes a reference to a facsimile of a signature by whatever process reproduced; and, in paragraph 12 below, the word “signed” shall be construed accordingly.

Documents served etc by or on Transport for London

- 12 (1) Any document which Transport for London is authorised or required by or under any enactment to serve, make or issue may be signed on behalf of Transport for London by any member, officer or member of staff of Transport for London who has been authorised for the purpose, whether generally or specially, by Transport for London.
- (2) Every document purporting to be an instrument made or issued by or on behalf of Transport for London and to be duly executed under the seal of Transport for London, or to be signed or executed by a person authorised by Transport for London for the

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purpose, shall be received in evidence and be treated, without further proof, as being so made or so issued unless the contrary is shown.

- (3) Any notice which is required or authorised, by or under any provision of any other Act, to be given, served or issued by, to or on Transport for London shall be in writing.

Members' interests

- 13 (1) If a member of Transport for London has any interest, whether direct or indirect, and whether pecuniary or not, in any matter that is brought up for consideration at a meeting of Transport for London he shall disclose the nature of the interest to the meeting; and, where such a disclosure is made—
- (a) the disclosure shall be recorded in the minutes of the meeting; and
 - (b) the member shall not take any part in any deliberation or decision of Transport for London, or any of its committees or sub-committees, with respect to that matter.
- (2) A member need not attend in person at a meeting of Transport for London 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 read and considered at the meeting.
- (3) The Mayor may, subject to such conditions as he considers appropriate, remove any disability imposed by virtue of this paragraph in any case where the number of members of Transport for London disabled by virtue of this paragraph at any one time would be so great a proportion of the whole as to impede the transaction of business.
- (4) The power of the Mayor under sub-paragraph (3) above includes power to remove, either indefinitely or for any period, a disability which would otherwise attach to any member, or members of any description, by reason of such interests, and in respect of such matters, as may be specified or described by the Mayor.
- (5) Where the Mayor exercises the power under sub-paragraph (3) above to remove a disability—
- (a) he shall notify Transport for London that he has done so, and of his reasons for doing so, and
 - (b) the removal of the disability and the Mayor's reasons shall be recorded in the minutes of Transport for London.
- (6) If any person fails to comply with the provisions of sub-paragraph (1) above, he shall for each offence be liable on summary conviction to a fine not exceeding level 4 on the standard scale unless he proves that he did not know that the contract, proposed contract or other matter in which he had the interest was the subject of consideration at the meeting.
- (7) A prosecution for an offence under this paragraph shall not be instituted except by or on behalf of the Director of Public Prosecutions.
- (8) Transport for London may provide for the exclusion of a member from a meeting of Transport for London while any contract, proposed contract or other matter in which he has such an interest as is mentioned in sub-paragraph (1) above is under consideration.

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- (9) Section 95 of the Local Government Act 1972 (pecuniary interests for the purposes of section 94) shall apply for the purposes of this paragraph as it applies for the purposes of that section.
- (10) Section 96 of that Act (general notices and recording of disclosures for the purposes of section 94) shall apply for the purposes of this paragraph, but taking—
- (a) any reference to a proper officer of the authority as a reference to an officer appointed by Transport for London for the purpose;
 - (b) any reference to a member of the authority as a reference to a member of Transport for London;
 - (c) any reference to premises owned by the authority as a reference to premises owned by Transport for London; and
 - (d) any reference to section 94 of that Act as a reference to this paragraph.
- (11) Subsections (4) and (5) of section 97 of that Act (disregard of certain interests for the purposes of section 94) shall apply in relation to this paragraph as they apply in relation to section 94 of that Act, but as if—
- (a) the members of Transport for London were members of a local authority; and
 - (b) in subsection (5), for “a pecuniary interest” there were substituted “an interest (whether pecuniary or not)”.
- (12) Section 19 of the Local Government and Housing Act 1989 (members' interests) shall apply as if—
- (a) Transport for London were a local authority;
 - (b) the members of Transport for London were the members of that local authority;
 - (c) an officer appointed by Transport for London for the purpose were the proper officer of that local authority,
 - (d) any reference to a pecuniary interest were a reference to an interest, whether pecuniary or not; and
 - (e) any reference to section 94 of the Local Government Act 1972 were a reference to this paragraph.