
STATUTORY INSTRUMENTS

2000 No. 1484

LONDON GOVERNMENT

**The London Transport Users' Committee
(Transitional Provisions) Order 2000**

<i>Made</i>	- - - -	<i>5th June 2000</i>
<i>Laid before Parliament</i>		<i>7th June 2000</i>
<i>Coming into force</i>	- -	<i>28th June 2000</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by sections 405(2), 406, 408, 410(1), 411(1) and (3)(c) and 420(1) of the Greater London Authority Act 1999⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the London Transport Users' Committee (Transitional Provisions) Order 2000 and shall come into force on 28th June 2000.

(2) In this Order—

- “the Act” means the Greater London Authority Act 1999;
- “the 1984 Act” means the London Regional Transport Act 1984⁽²⁾;
- “the LRPC” means the London Regional Passengers' Committee;
- “the LTUC” means the London Transport Users' Committee; and
- “the transfer date” means 3rd July 2000.

Final report and accounts of LRPC

2.—(1) Section 40(10) (annual reports of the LRPC) of the 1984 Act shall apply in relation to the years beginning in 1999 and 2000 as if together they constituted a single year.

(2) The final accounts of the LRPC shall be submitted to the Secretary of State by such officer of the LTUC as he may appoint for that purpose.

(1) 1999 c. 29. ‘Transfer instrument’ (section 410(1)) is defined by section 410(9). Section 411(1) applies by virtue of section 408(3)(j) and 246 (abolition of the London Regional Passengers' Committee).
(2) 1984 c. 32.

(3) The LTUC shall at all reasonable times permit any person for the time being appointed for the purpose of auditing the final accounts of the LRPC such access to all such documents as may reasonably be required for the purposes of the audit.

Superannuation of LRPC staff

3.—(1) All rights and liabilities arising under or in connection with any arrangements ('the relevant pension arrangements') made for the payment of pensions under paragraph 7 of Schedule 3 to the 1984 Act (pensions for LRPC staff) shall have effect on and after the transfer date as if they had arisen under or in connection with the Principal Civil Service Pension Scheme.

(2) All property held on and after the transfer date for the purposes of the relevant pension arrangements shall be held for the purposes of the Principal Civil Service Pension Scheme.

(3) The persons to whom section 1 (persons to or in respect of whom benefits may be provided by schemes under that section) of the Superannuation Act 1972(3) applies shall include persons who at any time before the transfer date—

- (a) have ceased to serve in employment with the LRPC, and
- (b) immediately before that date were entitled to benefits or deferred benefits under the relevant pension arrangements.

(4) In this article 'the Principal Civil Service Pension Scheme' means the scheme made under section 1 of, and referred to as such in section 2(10) of, the Superannuation Act 1972.

Property, rights and liabilities

4.—(1) For the period beginning on the transfer date and ending on 25th September 2002, the LTUC has the right to occupy Clements House, Gresham Street, London EC2 on the terms provided in relation to the LRPC by the memorandum of terms of occupation signed on behalf of the Department of Transport and the LRPC on 8th May 1996.

(2) All other property, rights and liabilities (including rights and liabilities incurred in relation to contracts of employment)—

- (a) acquired or incurred by the LRPC,
- (b) subsisting immediately before the transfer date, and
- (c) not transferred apart from this article,

are transferred to, and vest in, the LTUC.

Continuity in the exercise of functions

5.—(1) Anything which at the transfer date is in the process of being done by or in relation to the LRPC in relation to a relevant matter may on and after that date be continued by or in relation to the LTUC as if—

- (a) if had been begun by or in relation to the LTUC, and
- (b) the relevant statutory provision had applied in respect of the LTUC.

(2) Anything done before the transfer date by or in relation to the LRPC in relation to a relevant matter shall, so far as is required for continuing its effect on and after that date, have effect as if done by or in relation to the LTUC as if—

- (a) it had been begun by or in relation to the LTUC, and
- (b) the relevant statutory provision had applied in respect of the LTUC.

(3) 1972 c. 11; relevant amendment is by section 389 of the Greater London Authority Act 1999.

(3) Without prejudice to the generality of paragraph (2), that paragraph applies in particular to any—

- (a) application, request, representation, proposal or objection;
- (b) notice or report; or
- (c) conclusion, recommendation, referral or direction.

(4) Any reference to the LRPC in any document constituting or relating to anything to which the foregoing provisions of this article apply shall, so far as required for giving effect to those provision, be construed as a reference to the LTUC.

(5) For the purposes of this article—

- (a) a “relevant matter” is anything which was done in pursuance of or in connection with any function conferred on the LRPC by or by virtue of a relevant statutory provision; and
- (b) the relevant statutory provisions are—

- (i) section 56 (consultative committees) of the Transport Act 1962(4);
- (ii) section 40 (the LRPC) of the 1984 Act;
- (iii) sections 36 and 123 (bus services) of the Transport Act 1985(5);
- (iv) section 41 (international rail services) of the Channel Tunnel Act 1987(6);
- (v) section 41 of the Heathrow Express Railway Act 1991(7);
- (vi) the following provisions of the Railways Act 1993(8);
 - sections 43 and 44 (proposed closures),
 - section 46 (variation of conditions),
 - section 47 (bus substitution services),
 - section 68(2) (investigations required by the Rail Regulator) and,
 - section 77 (general duties of consultative committees);
- (vii) the following provisions (which concern the service of documents) of the Transport and Works (Applications and Objections Procedure) Rules 1992(9)—
 - paragraph 23 of Schedule 2,
 - paragraph 23 of Schedule 5, and
 - paragraph 10 of Schedule 6.

(6) Nothing in this article shall be taken to modify or exclude the application of section 415 (continuity) of the Act.

Supplementary provision

6. In the following provisions—

- (a) section 41 of the Channel Tunnel Act 1987;
- (b) section 41 of the Heathrow Express Railway Act 1991, and

(4) 1962 c. 46; relevant amendment is by section 41 of the London Regional Transport Act 1984, section 78 of the Railways Act 1993 (c. 43) and paragraph 1 of Schedule 19 to the Greater London Authority Act 1999.

(5) 1985 c. 67; section 36 is to be repealed by Part II of Schedule 34 to, and section 123 is amended by paragraph 4 of Schedule 19 to, the Greater London Authority Act 1999.

(6) 1987 c. 53. See paragraph 4 of Schedule 13 to the Railways Act 1993 (c. 43).

(7) 1991 c. vii.

(8) 1993 c. 43. Section 47 is amended by paragraph 5 of Schedule 19 to the Greater London Authority Act 1999.

(9) S.I.1992/2902, to which there are amendments not relevant to this Order.

- (c) paragraph 23 of Schedule 2 to, paragraph 23 of Schedule 5 to, and paragraph 10 of Schedule 6 to the Transport and Works (Applications and Objections Procedure) Rules 1992,

references to the LRPC shall be treated as if they were references to the LTUC.

London Regional Transport services during the transitional period

- 7.—(1) Section 248 (representations to the LTUC) of the Act shall apply as if—
 - (a) the relevant services of London Regional Transport were services or facilities mentioned in subsection (2) of that section, and
 - (b) the functions of London Regional Transport in pursuance of which they are provided were mentioned in subsection (1)(a).
- (2) In relation to minutes, conclusions and recommendations prepared in consequence of paragraph (1), section 250(1) and (3) of the Act shall not apply, and—
 - (a) copies of such minutes, conclusions and recommendations shall be sent to—
 - (i) the Assembly,
 - (ii) the Mayor, and
 - (iii) London Regional Transport; and
 - (b) where London Regional Transport reach a decision with respect to matters dealt with in any such recommendation, the decision shall be notified to the LTUC.
- (3) In this article—
 - “the relevant services of London Regional Transport” are public passenger transport services provided or secured by London Regional Transport or any of its subsidiaries during the transitional period, and
 - “the transitional period” means the period which begins on the transfer date and ends on the day on which London Regional Transport ceases to provide or secure the provision of public passenger transport services.

Signed by authority of the Secretary of State

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

5th June 2000

EXPLANATORY NOTE

(This note is not part of the Order)

On 3rd July 2000, under the Greater London Authority Act 1999 ('the Act') the London Regional Passengers' Committee ('the LRPC') is abolished, and the London Transport Users' Committee ('the LTUC') established.

Article 2 makes provision for the final annual report of the LRPC to include the period ending with the abolition of the Committee, and for the submission to the Secretary of State of, and audit of, its final accounts.

Article 3 makes provision for the superannuation of employees and former employees of the LRPC under the Principal Civil Service Pension Scheme.

Article 4 provides for the LTUC to be entitled to occupy the LRPC's offices, and for the transfer of residual property, rights and liabilities (including those in relation to contracts of employment) to the LTUC.

Article 5 provides for continuity in the exercise of functions of the LRPC which are superseded by functions conferred by the Act on the LTUC, and article 6 provides for matters connected with rail journeys comprising the Channel Tunnel or the Heathrow Express Railway, and applications under the Transport and Works Act 1992, to be considered by the LTUC in place of the LRPC.

Article 7 provides for the LTUC to consider representations concerning public passenger services provided by London Regional Transport during the period before the residue of its undertaking is transferred to Transport for London.