
STATUTORY INSTRUMENTS

2016 No. 653

The West Midlands Combined Authority Order 2016

PART 3

Transport

Continuity

9.—(1) Nothing in article 6, 7 or 8 affects the validity of anything done by or in relation to the ITA or the Executive before the commencement date.

(2) There may be continued by or in relation to the Combined Authority anything (including legal proceedings) which—

- (a) relates to any of the functions, property, rights or liabilities transferred to the Combined Authority; and
- (b) is in process of being done by or in relation to the ITA or the Executive immediately before the commencement date.

(3) Anything which—

- (a) was made or done by or in relation to the ITA or the Executive for the purposes of or otherwise in connection with any of the functions, property, rights or liabilities transferred, and
- (b) is in effect immediately before the transfer takes effect,

has effect as if made or done by or in relation to the Combined Authority.

(4) The Combined Authority shall be substituted for the ITA or, where appropriate, the Executive, in any instruments, contracts or legal proceedings which—

- (a) relate to any of the functions, property, rights or liabilities transferred, and
- (b) are made or commenced before the transfer takes effect.

(5) A reference in this article to anything made or done by or in relation to the ITA or the Executive includes a reference to anything which by virtue of any enactment is to be treated as having been made or done by or in relation to the ITA or the Executive.

(6) Without prejudice to the generality of this article a levy issued by the ITA under section 74 of the Local Government Finance Act 1988⁽¹⁾ and in accordance with the Transport Levying Bodies

(1) Section 74 was amended by paragraph 72 of Schedule 13 to the Local Government Finance Act 1992 (c. 14); paragraph 21 of Schedule 60 to the Local Government (Wales) Act 1994 (c. 19); Schedule 24 to the Environment Act 1995 (c. 25); section 105 of the Greater London Authority Act 1999 (c. 29); paragraph 305(a) of Schedule 8 to the Courts Act 2003 (c. 39); paragraph 68 of Schedule 1 to the Fire and Rescue Services Act 2004 (c. 21); paragraph 16 of Schedule 1 to the Local Government and Involvement in Public Health Act 2007 (c. 28); paragraphs 74 and 75 of Schedule 6 and Part 4 of Schedule 7 to the Local Democracy, Economic Development and Construction Act 2009 (c. 20); paragraphs 1 and 2 of Schedule 7 to the Police Reform and Social Responsibility Act 2011 (c. 13); paragraph 182(a) of Schedule 16 to the Localism Act 2011 (c. 20); section 9(1) (a), (b) and (2) of, and paragraphs 9 and 10 of Schedule 5 to the Cities and Local Government Devolution Act 2016 (c. 1); and by S.I. 1994/2825.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Regulations 1992(2) to the constituent councils in respect of the financial year beginning 1st April 2016 is to have effect for that year as if it had been so issued by the Combined Authority.