

Status: Point in time view as at 15/07/2003.

Changes to legislation: There are currently no known outstanding effects for the Transport Act 1968, SCHEDULE 16. (See end of Document for details)

SCHEDULES

SCHEDULE 16

SUPPLEMENTARY OR CONSEQUENTIAL PROVISIONS

1, 2. ^{F1}

Textual Amendments

F1 Sch. 16 paras. 1, 2 repealed by Transport Act 1980 (c. 34, SIF 126), **Sch. 9 Pt. III**

3 ^{F2}

Textual Amendments

F2 Sch. 16 para. 3 repealed by Sch. 18 Pt. IV of this Act

4 (1) The power to make bylaws conferred by [^{F3}subsection 2 of section 67 of the Act of 1962] shall be exercisable ^{F4}... by the Railways Board ^{F4}....

^{F5}(2)

^{F6}(3)

^{F7}(4)

[^{F8}(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 owned subsidiary of the Railways Board ^{F9}... ^{F10}... shall be deemed to be railways, railway premises, or officers and servants of, or ships (or hovercraft) operated by, that Board ^{F9}... ^{F11}....]

Textual Amendments

F3 Words substituted by Transport Act 1980 (c. 34), **Sch. 7 para. 5**

F4 Words in Sch. 16 para. 4(1) repealed (S.) (7.6.2002) by S.S.I. 2002/263, art. 5(2), **Sch.**

F5 Sch. 16 paras. 4(2), 5(1) repealed by Transport Act 1980 (c. 34, SIF 126), **Sch. 9 Pt. III**

F6 Sch. 16 para. 4(3) repealed (S.) (7.6.2002) by S.S.I. 2002/263, art. 5(2), **Sch.**

F7 Sch. 16 para. 4(4) repealed (S.) (7.6.2002) by S.S.I. 2002/263, art. 5(2), **Sch.**

F8 Sch. 16 para. 4(5) substituted by London Regional Transport Act 1984 (c. 32), ss. 1, 67(2)(3), 72(2), **Sch. 4 para. 2(2)**; S.I. 1984/877,

F9 Sch. 16 para. 4(5): "In Schedule 16(5), the reference to the Scottish Group" repealed (S.) (7.6.2002) by virtue of S.S.I. 2002/263, art. 5(2), **Sch.**

F10 Words in Sch. 16 para. 4(5) omitted (15.7.2003) by The Transport for London (Consequential Provisions) Order 2003 (S.I. 2003/1615), art. 1(1), **Sch. 1 para. 4(5)(a)**

F11 Words in Sch. 16 para. 4(5) omitted (15.7.2003) by The Transport for London (Consequential Provisions) Order 2003 (S.I. 2003/1615), art. 1(1), **Sch. 1 para. 4(5)(b)**

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Modifications etc. (not altering text)

C1 Sch. 16 para. 4(5) extended by [S.I. 1972/971](#), [Sch. 1 Pt. A](#) (as amended by [S.I. 1979/1309](#), [art. 2\(b\)](#))

5 (1) ^{F12}

(2) The Railways Board may make an agreement with [^{F13}the Scottish Group] for making available to that [^{F13}Group] or to any wholly-owned subsidiary of that [^{F13}Group] 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, that is to say, the force organised under the scheme set out in the Schedule to the ^{M1}British Transport Police Force Scheme 1963 (Approval) Order 1964 made under section 69 of the Act of 1962.

(3) Where such an agreement has been made members of the said Police Force may act, in accordance with the terms of the agreement, as constables in, on and in the vicinity of any premises of [^{F14}the Scottish Group or, as the case may be, the subsidiary in question] notwithstanding the provisions of section 53(1) of the ^{M2}British Transport Commission Act 1949 (which restricts them to so acting in, on and in the vicinity of premises belonging to, leased to or worked by one of the Boards).

(4) The Minister, after consultation with the Boards and [^{F15}the Scottish Group], may by order make such adaptations in the said scheme and in sections 69 to 71 of the Act of 1962 as appear to him expedient to enable that scheme and those sections to have effect as respects any period after the making of the order as if that [^{F15}Group] were one of the Boards.

Textual Amendments

F12 Sch. 16 paras. 4(2), 5(1) repealed by Transport Act 1980 (c. 34, SIF 126), [Sch. 9 Pt. III](#)

F13 Words substituted by [Transport Act 1980 \(c. 34\)](#), [Sch. 7 para. 6\(a\)](#)

F14 Words substituted by [Transport Act 1980 \(c. 34\)](#), [Sch. 7 para. 6\(b\)](#)

F15 Words substituted by [Transport Act 1980 \(c. 34\)](#), [Sch. 7 para. 6\(c\)](#)

Modifications etc. (not altering text)

C2 [Para. 5](#) extended by [Transport \(London\) Act 1969 \(c. 35\)](#), [Sch. 3 para. 7](#)

Marginal Citations

M1 [S.I. 1964/1456](#).

M2 [1949 c. xxix](#).

6 ^{F16}

Textual Amendments

F16 [Sch. 16 para. 6](#) repealed by [Sch. 18 Pt. IV](#) of this Act

- 7 (1) The references to be substituted—
- (a) as mentioned in Part I of Schedule 2 to the Act of 1962 in the provisions specified in sub-paragraph (2) of this paragraph; or
 - (b) as mentioned in Part III of that Schedule in the provisions specified in sub-paragraph (3) of this paragraph,

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shall in each case include a reference. . . ^{F17} to any wholly-owned subsidiary. . . ^{F17}
of any of the Boards.

- (2) The provisions referred to in sub-paragraph (1)(a) of this paragraph are—
- (a) section 41(3) of the ^{M3}Criminal Justice Act 1948;
 - (b) section 22 of the ^{M4}Diseases of Animals Act 1950;
 - (c) section 13(1) of the ^{M5}Transport Charges (Miscellaneous Provisions) Act 1954;
 - (d) ^{F18}
 - (e) ^{F19}
 - (f) ^{F20}
 - (g) ^{F21}
- (3) The provisions referred to in sub-paragraph (1)(b) of this paragraph are—
- (a) sections 54, 55, 56 and 57 of the ^{M6}British Transport Commission Act 1949;
 - (b) section 18 in the Schedule to the ^{M7}British Transport Commission Order Confirmation Act 1953;
 - (c) section 52 of the ^{M8}British Transport Commission Act 1953;
 - (d) section 24 of the ^{M9}British Transport Commission Act 1954.
- (4) In section 23 of the ^{M10}British Railways Act 1964 (which provides for the aforesaid section 54 of the ^{M11}British Transport Commission Act 1949 to continue in force in its application to the Railways Board) and in any enactment passed after this Act which provides for the said section 54 so to continue in force for a further period, the reference to the Railways Board shall be construed as a reference to the Railways Board, the Freight Corporation and any wholly-owned subsidiary of that Board or Corporation.

Textual Amendments

- F17** Words repealed by [Transport Act 1980 \(c. 34, SIF 126\)](#), **Sch. 9 Pt. III**
- F18** [Sch. 16 para. 7\(2\)\(d\)](#) repealed by [Food Act 1984 \(c. 30, SIF 53:1\)](#), **Sch. 11** (as amended by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), **Sch. 6 para. 31**) and expressed to be repealed by [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), s. 59(1)(4), [Sch. 3 para. 13](#), **Sch. 5**
- F19** [Sch. 16 para. 7\(2\)\(e\)](#) repealed by [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), s. 59(1)(4), [Sch. 3 para. 13](#), **Sch. 5**
- F20** [Para. 7\(2\)\(f\)](#) repealed by [Highways Act 1980 \(c. 66\)](#), **Sch. 25**
- F21** [Para. 7\(2\)\(g\)](#) repealed by [Theft Act \(Northern Ireland\) 1969 \(c. 16\)](#), **Sch. 3 Pt. II**

Modifications etc. (not altering text)

- C3** [Para. 7\(1\)](#) amended by [Transport \(London\) Act 1969 \(c. 35\)](#), **Sch. 3 para. 1(1)(2)**

Marginal Citations

- M3** 1948 c. 58.
M4 1950 c. 36.
M5 1954 c. 64.
M6 1949 c. xxix.
M7 1953 c. xx.
M8 1953 c. xlii.

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M9 1954 c. lv.
M10 1964 c. xvi.
M11 1949 c. xxix.

- 8 (1) In the Harbours Act 1964—
- (a) in section 30(1), for paragraph (b) there shall be substituted the following:—
 - “(b) by virtue of section 43 of the Transport Act 1962 by any of the Boards at a harbour which, in the exercise and performance of statutory powers and duties, that Board are engaged in improving, maintaining or managing, except where the Board in question are the British Transport Docks Board, the British Railways Board or the British Waterways Board and the harbour in question is not specified in Schedule 9 to that Act”;
 - (b) in section 30(4) the words “(other than any of the Boards)” and the words from “or by” to “1962” shall cease to have effect;
 - (c) in section 36(a) for the words “any of the Boards” there shall be substituted the words “ the British Transport Docks Board, the British Railways Board or the British Waterways Board ”;
 - (d) in section 57(1)—
 - (i) at the end of the definition of “the Boards” there shall be added the words “ and includes the National Freight Corporation, the Scottish Transport Group and any subsidiary within the meaning of the Transport Act 1968 of any of those Boards or of that Corporation or Group ”;
 - (ii) in the definition of “marine work” for the words “vested in any of the Boards or” there shall be substituted the words “ which is vested in any of the Boards other than the Scottish Transport Group or a subsidiary within the meaning of section 154 of the Companies Act 1948 of that Group or which is ”.
- (2) In any case where, by virtue of sub-paragraph (1)(d)(i) of this paragraph, the Board within the meaning of section 41 of the ^{M12}Docks and Harbours Act 1966 are a subsidiary of one or more of the Docks Board, the Railways Board, the Waterways Board, . . . ^{F22} and the Scottish Group, that section shall be construed as if—
- (a) any reference therein otherwise than in subsection (1) thereof to the Board were a reference to the body, or to each respectively of the bodies, of which the Board within the meaning of that section are a subsidiary; and
 - (b) the property, rights and liabilities transferred by the order or scheme in question from the subsidiary were, to an extent proportionate to the extent of the interest of that body in the subsidiary, property, rights and liabilities so transferred from that body.
- (3) The said section 41 shall have effect with the substitution—
- (a) in subsection (2)(b)—
 - (i) for the words “as determined under section 39 of the Transport Act 1962” of the words “ under section 39 of the Transport Act 1962 or Schedule 2 to the Transport Act 1968 ”;
 - (ii) for the words “that Act” of the words “ the Transport Act 1962 ”;
 - (b) in subsection (3)—

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- (i) for the words “section 39 of the said Act of 1962” of the words “ the said section 39 or Schedule 2 ”;
- (ii) for the words “section 20 of that Act” of the words “ the said section 20 ”.

(4) In any application of the said section 41 to the Scottish Group or to any other body in the capacity of a subsidiary of that Group, any reference to the Minister shall be construed as a reference to the Secretary of State.

Textual Amendments

F22 Words repealed by [Transport Act 1980 \(c. 34, SIF 126\)](#), **Sch. 9 Pt. III**

Modifications etc. (not altering text)

C4 The text of s. 103(8), 161(4), 162(5), Sch. 16, paras. 8(1)(3), 9, 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M12 [1966 c. 28](#).

9 In the Building Control Act ^{M13}1966, in the Schedule, for the entry beginning “Any subsidiary” there shall be substituted the following:—

“The National Freight Corporation.

The National Bus Company.

The Scottish Transport Group.

Any subsidiary (as defined in the Transport Act 1968) of any of the bodies mentioned above.”

Modifications etc. (not altering text)

C5 The text of s. 103(8), 161(4), 162(5), Sch. 16, paras. 8(1)(3), 9, 10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M13 [1966 C. 27](#).

^{F23}10

Textual Amendments

F23 [Sch. 16 para. 10](#) repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), **Sch. 1 Pt. IX** Group2

11 ^{F24}

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Textual Amendments

F24 Sch. 16 para. 11 repealed by [British Railways Act 1987 \(c.xxix\)](#), ss. 45(9), 47, [Sch. 2 Pt. 5](#)

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F25

Textual Amendments

F25 Sch. 16 para. 12 repealed by [Industry Act 1971 \(c. 17, SIF 64\)](#), s. 3(2)(b), Sch. 2 Pt. II

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