

Status: Point in time view as at 17/08/1996.

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SCHEDULES

SCHEDULE 3

Section 57(6).

AMENDMENTS CONSEQUENTIAL ON SECTION 57

The ^{M1}Transport Act 1968

Marginal Citations

M1 1968 c. 73.

- 1 The following provisions of the 1968 Act shall be omitted—
section 17 (transfer to Executive of local authority transport undertakings);
section 18 (planning of passenger transport services in newly designated areas);
section 19 and Schedule 6 (provision for transfer of control of bus services in
a designated area to the Executive for that area); and
section 21 (which contains provisions connected with those of section 19).
- 2 In—
(a) sections 10, 12, 14, 15, 20 and 23 of that Act; and
(b) paragraph 11(a) of Schedule 5 to that Act;
for the word “designated” (in each place where it occurs) there shall be substituted
the words “passenger transport”.
- 3 In section 9(6) of that Act, the words “or 6” shall be omitted, and for the
words “sections 20(6) and (7) and 21(5)” there shall be substituted the words
“section 20(6) and (7)”.
- 4 In section 10 of that Act (general powers of Executive)—
(a) in subsection (1)—
(i) in paragraph (ii) (power to carry passengers by land, otherwise than
by road, and by water), for the words from “the following distance”
to the end of the paragraph there shall be substituted the words
“the distance of twenty-five miles from the nearest point on the
boundary of that area;”; and
(ii) in paragraph (xxiii), for the words “the discharge of their duty
under section 9(3) of this Act” there shall be substituted the words
“their business;”; and
(b) in subsection (2) (things done by subsidiaries to count as things done by
Executive for certain purposes), the words from “or with the consent”
to “Act” (which refer to consents under Schedule 6 to that Act) shall be
omitted.

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- 5 In section 11 of that Act (Executive’s financial duty), as it applies to England and Wales, subsection (1) shall be omitted.
- 6 In section 12 of that Act (borrowing powers of Executive)—
- (a) in subsection (3)(d) the words from “or by” to the end of the paragraph shall be omitted; and
 - (b) in subsection (4)—
 - (i) for the words “Each of the councils of constituent areas” there shall be substituted the words “The Authority for the Executive’s area”;
 - (ii) for the words “such a council” there shall be substituted the words “the Authority for a passenger transport area”; and
 - (iii) for the word “council” in each place where it occurs in paragraphs (a) and (b) there shall be substituted the word “Authority”.
- 7 For section 13 of that Act (precepting powers), as it applies to England and Wales, there shall be substituted the following section—
- “13 Power to make grants.**
- The Authority shall have power to make grants to the Executive for any purpose.”
- 8 In section 14(3) of that Act (accounts of Executive), as it applies to England and Wales, for the words “for the designated area and to each of the councils of constituent areas” there shall be substituted the words “and to each of the councils of the districts comprised in the county which is coterminous with or includes the Executive’s area”.
- 9 In section 14(3) of that Act, as it applies to Scotland, the words “for the designated area” shall be omitted.
- 10 (1) In section 15 of that Act (further functions of Authority)—
- (a) subsection (1)(a) shall be omitted;
 - (b) in subsection (2), in paragraph (a), the words from “or provided by” to “Act” shall be omitted; and
 - (c) subsection (3) shall be omitted.
- (2) In that section, as it applies to England and Wales—
- (a) in subsection (2), the words following paragraph (b); and
 - (b) subsection (4);
- shall be omitted.
- (3) In subsection (2) of that section, as it applies to Scotland, the words from “and, in the case” to the end shall be omitted.
- 11 In section 15A of that Act (control of Executive by Authority) subsection (1) shall be omitted.

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- 12 In section 16 of that Act (publication of annual report by Authority and Executive and prevention of improper conduct of subsidiary activities)—
- (a) in subsection (1)—
 - (i) for the words “area designated by an order under section 9(1) of this Act” there shall be substituted the words “passenger transport area”; and
 - (ii) for the words “by the order aforesaid” there shall be substituted the words “by any order made, or having effect as if made, under section 9(3) of this Act”; and
 - (b) in subsection (2), the words from “and if” to “would not” shall be omitted.
- 13 In section 20 of that Act (special duty of Executive to enter into agreements with the Railways Board for securing necessary services)—
- (a) in subsection (2)—
 - (i) for the words “general duty under section 9(3)” there shall be substituted the words “duty under section 9A(3)”;
 - (ii) the words “to which this section applies” shall be omitted;
 - (iii) in paragraph (a), the words “review as soon as may be, and subsequently” shall be omitted; and
 - (iv) in paragraph (b) (Executive to secure such railway passenger services as the Authority decide to be necessary to ensure a proper contribution towards provision of public passenger transport system required by section 9(1)), for the words from “decide” to the end there shall be substituted the words “consider it appropriate to secure to meet any public transport requirements within that area”; and
 - (b) subsection (8) shall be omitted.
- 14 In section 22 of that Act (provisions as to orders and regulations under Part II)—
- (a) in subsections (1) and (2) the words “or regulations” shall be omitted; and
 - (b) subsections (3) to (6) shall be omitted.
- 15 In section 24(2) of that Act (co-operation between Passenger Transport Executives and the National Bus Company and the Scottish Transport Group), for the words from the beginning to “Act” there shall be substituted the words “In the case of any area which is a passenger transport area for the purposes of Part II of this Act”.
- 16 In section 54 of that Act (provisions with respect to railway closures)—
- (a) in subsection (2), for the words “designated under section 9(1) thereof” there shall be substituted the words “which is a passenger transport area for the purposes of Part II of this Act”; and
 - (b) in subsection (3), for the words “an area designated as aforesaid” there shall be substituted the words “any such area as is mentioned in that subsection”.
- 17 In section 134(1) of that Act (authorities to whom duty to act as a body engaged in a commercial enterprise applies), for the words from “designated” to “section 9(1)” there shall be substituted the words “area which is a passenger transport area for the purposes of Part II”.

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- 18 In section 137 of that Act (obligation to establish machinery for negotiation and consultation with staff)—
- (a) in subsection (1) (authorities to whom the section applies), for the words from “designated” to “section 9(1)” there shall be substituted the words “area which is a passenger transport area for the purposes of Part II”;
 - (b) in subsection (3)(b), for the words from “Authority” to the end of the paragraph there shall be substituted the words “Passenger Transport Authority for the passenger transport area in question (referred to below in this section as the relevant Passenger Transport Authority)”; and
 - (c) in subsection (4), for the words “Authority established as aforesaid” and “Authority so established” there shall be substituted the words “relevant Passenger Transport Authority”.
- 19 In section 141(1) of that Act (application of Town and Country Planning Acts), for the words from “designated” to “section 9(1)” there shall be substituted the words “for any area which is a passenger transport area for the purposes of Part II”.
- 20 —In section 160(5) of that Act (stamp duty not chargeable on certain instruments), for the words “established under section 9(1)” there shall be substituted the words “for any area which is a passenger transport area for the purpose of Part II”.
- 21 (1) In Schedule 5 to that Act (constitution, etc., of Passenger Transport Authorities and Executives), Part I (which relates to Passenger Transport Authorities) shall be omitted.
- (2) In Part II of that Schedule—
- (a) paragraph 1 shall be omitted;
 - (b) in paragraph 2, as it applies to England and Wales, for the words “any of the councils of constituent areas” (in each place where they occur) there shall be substituted the words “the Authority for the passenger transport area”; and
 - (c) in paragraph 2, as it applies to Scotland, for the word “designated” there shall be substituted the words “passenger transport”.
- (3) In Part III of that Schedule the following provisions shall be omitted—
- (a) paragraphs 1, 2, 3(a), 4, 5, 10, 11(c), 12, 16 and 17;
 - (b) in paragraphs 6, 7 and 9 the words “the Authority and” and “respectively”, in each place where they occur;
 - (c) in paragraph 8 the words “the Authority or” and “the chairman of the Authority or, as the case may be”;
 - (d) in paragraph 11, the words “the Authority or” in sub-paragraph (a) and “the Authority” in sub-paragraph (b); and
 - (e) in paragraph 13, the words “the Authority or”, in both places where they occur, and “the Authority” where those words last occur;
- and in paragraph 3(b), for “9(1)(b)” there shall be substituted “9(2)”.

The ^{M2}Post Office Act 1969

Marginal Citations

M2 1969 c. 48.

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- 22 In section 7(1A)(b) (bodies for whom the Post Office may perform services to include Passenger Transport Executives established under section 9(1)(b) of the 1968 Act), for the words “established under section 9(1)(b)” there shall be substituted the words “for the purposes of Part II”.

The Pensions (Increase) Act 1971

- 23 In paragraph 6(2)(c) of Schedule 3 to the ^{M3}Pensions (Increase) Act 1971 (extended definition of employing authority), for the words from “established under section 9(1)” to the end there shall be substituted the words “for the purposes of Part II of the ^{M4}Transport Act 1968”.

Marginal Citations

M3 1971 c. 56.

M4 1968 c. 73.

The ^{M5}Local Government Act 1972

Marginal Citations

M5 1972 c. 70.

- 24 In section 202 of the 1972 Act (public transport in passenger transport areas) subsections (1) and (3) to (7) shall be omitted.

- 25 In Schedule 24 to that Act, Part II shall be omitted.

The ^{M6}Local Government (Scotland) Act 1973

Marginal Citations

M6 1973 c. 65.

- 26 In section 150 of the Local Government (Scotland) Act 1973, subsection (5) shall be omitted.

- 27 Section 151 of that Act shall be omitted.

- 28 In Schedule 18 to that Act, paragraphs 1(a) to (d) and (f), 7(c), 10, 11 and 21(1) shall be omitted.

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[^{F1} The ^{M7}Local Government, Planning and Land Act 1980

Textual Amendments

F1 Sch. 3 para. 29 repealed (E.W.) by Local Government and Housing Act 1989 (c. 42, SIF 81:1), s. 194(2), Sch.12 Part I

Marginal Citations

M7 1980 c. 65.

- 29 In section 82 of the Local Government, Planning and Land Act 1980 (Passenger Transport Executives and their subsidiaries)—
- (a) in subsection (1)—
- (i) in paragraph (a) the words “whose area is either the whole or part of one county” shall be omitted, and for the words “county council” there shall be substituted the words “metropolitan county passenger transport authority for the county which is coterminous with or includes that Executive’s area”; and
- (ii) for the word “council” in each place where it occurs in paragraphs (b) to (d) there shall be substituted the word “authority”;
- (b) subsections (2) and (3) shall be omitted; and
- (c) in subsection (4), for the words “subsections (1) to (3)” there shall be substituted the words “subsection (1)”.]

The ^{M8}Transport Act 1983

Marginal Citations

M8 1983 c. 10.

- 30 In section 1 of the Transport Act 1983 (interpretation of Part I), in paragraph (a) of the definition of “Executive”, for the words from “an area” to “county” there shall be substituted the words “any passenger transport area (within the meaning of Part II of the Act of 1968)”.
- 31 In section 3(3) of that Act (formulation of Executive’s financial plan may assume grants will be provided by the Authority to extent considered necessary by the Executive for discharge of certain duties), for the words “general duty under section 9(3)” there shall be substituted the words “duty under section 9A(3)”.
- 32 In section 9 of that Act (repeals and minor amendments), subsection (2) shall be omitted.

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The ^{M9}Road Traffic Regulation Act 1984

Marginal Citations

M9 1984 c. 27.

- 33 In paragraph 31(b) of Schedule 9 to the Road Traffic Regulation Act 1984 (local authority to consult Passenger Transport Executive before making certain orders) for the words from “designated under section 9(1)” to the end there shall be substituted the words “which is a passenger transport area for the purposes of Part II of the Transport Act 1968, shall consult with the Passenger Transport Executive for that passenger transport area.”.

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