



Transport Act 1985

1985 CHAPTER 67

PART V

FINANCIAL PROVISIONS

Expenditure on public passenger transport services

90 Provisions supplementary to section 89.

- [^{F1}(1) The period specified in any invitation to tender issued under section 89 of this Act as the period for which a service to which the invitation relates is to be provided shall not exceed [^{F2}8 years] beginning with the date on which any agreement entered into by accepting a tender submitted in response to the invitation is concluded.
- (2) Such information as may be prescribed with respect to any tenders submitted in response to any such invitation to tender shall be published by the authority issuing the invitation in such manner as may be prescribed.
- (3) On entering into an agreement by accepting any such tender that authority shall publish in such manner as may be prescribed their reasons for considering that the payment of service subsidies to secure the service in question in accordance with the terms of that tender [^{F3}accords with section 89(7) of this Act.]
- (4) Regulations may provide for treating a specification of terms of service, in such form as may be prescribed—
- prepared, with reference to any invitation to tender issued under section 89 of this Act by any authority responsible for expenditure on public passenger transport services, by the authority issuing the invitation with respect to the provision of that service by a company to be formed in pursuance of any requirement under Part IV of this Act to carry on any business which includes any current activities of that authority; and
 - ratified by that company after its formation within such period and in such manner as may be prescribed;

Changes to legislation: Transport Act 1985, Section 90 is up to date with all changes known to be in force on or before 20 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

as if it were a tender submitted in response to that invitation by that company within any period allowed for the submission of tenders in accordance with that invitation.

- (5) The reference in subsection (4)(a) above to any current activities of an authority responsible for expenditure on public passenger transport services is a reference to any activities which at the time when the specification of terms of service is prepared are currently carried on by or on behalf of that authority, or by any body of which that authority is a member or to which it appoints any members.]

Textual Amendments

- F1** S. 90 repealed (S.) (1.4.2003) by Local Government in [Scotland Act 2003 \(asp 1\)](#), **ss. 60(3)(c)**, 62(2); [S.S.I. 2003/134](#), **art. 2(1)**, Sch.
- F2** Words in s. 90(1) substituted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), **ss. 70**, 134(4); [S.I. 2009/107](#), art. 2(2), Sch. 2 Pt. 1; [S.I. 2009/579](#), art. 2(h)
- F3** Words in s. 90(3) substituted (E.W.) (1.2.2001 for E. and 1.8.2001 for W.) by [2000 c. 38](#), **s. 152(3)**; [S.I. 2001/57](#), art. 3(2), **Sch. 3 Pt. I** (with saving in [Sch. 3 Pt. II](#) (as amended by [S.I. 2001/115](#), **art. 3**)); [S.I. 2001/2788](#), art. 2, **Sch. 1 para. 7**
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Modifications etc. (not altering text)

- C1** Pt. 5: functions made exercisable (E.) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **14(1)**
- C2** Ss. 88-92: functions made exercisable concurrently (E.) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), **14(4)**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 90(3) by [2001 asp 2 s. 36\(3\)](#)
- s. 90(3) by [2000 c. 38 s. 152\(3\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(2ZA) inserted by [2019 asp 17 s. 37\(2\)\(a\)](#)
- s. 6(7ZA) inserted by [2019 asp 17 s. 37\(2\)\(b\)](#)