



Greater London Authority Act 1999

1999 CHAPTER 29

PART IV

TRANSPORT

CHAPTER II

TRANSPORT FOR LONDON

Functions: general provisions

156 General powers.

- (1) Transport for London may form, promote and assist, or join with any other person in forming, promoting and assisting, a company for the purpose of—
 - (a) carrying on any activities which Transport for London has power to carry on, or
 - (b) carrying on such activities together with activities which Transport for London does not have power to carry on.
- (2) Transport for London may enter into and carry out agreements with any person for the carrying on by that person, whether as agent for Transport for London or otherwise, of any activities which Transport for London has power to carry on (and, in particular, with respect to the provision or financing of any public passenger transport services which Transport for London has power to provide).
- (3) Transport for London may also enter into and carry out an agreement with any person for the carrying on by that person (the contractor) of any activities which Transport for London does not have power to carry on if the agreement includes provision for one or more of the following, namely—
 - (a) the carrying on by the contractor of such activities as are mentioned in subsection (2) above;

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- (b) the provision by the contractor to Transport for London of services ancillary to the provision of public passenger transport services; and
 - (c) the use by the contractor of land or other property owned by Transport for London, or transferred to the contractor by Transport for London, for the purposes of the agreement.
- (4) Where an agreement has been entered into under subsection (2) or (3) above, the powers conferred on Transport for London by that subsection include power to enter into and carry out other agreements with other persons for the purpose of—
- (a) fulfilling any condition which must be fulfilled before the agreement can have effect; or
 - (b) satisfying any requirement imposed by or under the agreement.
- (5) Where—
- (a) a company has been formed in the exercise of the powers conferred by subsection (1) above (whether by Transport for London alone or by Transport for London jointly with some other person); or
 - (b) Transport for London has entered into an agreement with any person in exercise of its powers under subsection (2) or (3) above;
- Transport for London may enter into arrangements with that company or person for the transfer from Transport for London to that company or person, in such manner and on such terms (including payments by any of the parties to the arrangements to any of the other parties) as may be provided for by the arrangements, of any property, rights or liabilities of Transport for London relevant to the purpose for which the company was formed or (as the case may be) to the performance by that person of his obligations under the agreement.
- (6) Without prejudice to section 173(1) or 176 below, Transport for London shall have power to enter into and carry out agreements with—
- (a) any of its subsidiaries; or
 - (b) any person with whom it has entered into an agreement by virtue of subsection (2) or (3) above,
- providing for Transport for London to give assistance to the other party to the agreement by making available to that party any services, amenities or facilities provided by, or any works or land or other property belonging to, Transport for London, on such terms (including the reciprocal provision by that other party of similar assistance for Transport for London) as may be agreed between them.
- (7) The power of Transport for London under subsection (2) or (3) above to enter into an agreement as there mentioned is exercisable notwithstanding that the agreement involves the delegation of the functions of Transport for London under any enactment relating to any part of its undertaking.
- (8) Schedule 11 to this Act shall have effect for conferring further powers on Transport for London for the purpose of the discharge by Transport for London of any of its functions and with respect to the other matters there mentioned.

Modifications etc. (not altering text)

C1 S. 156(2) extended (28.6.2000) by [S.I. 2000/1462](#), [art. 6](#)

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157 Restriction on exercise of certain powers except through a company.

- (1) The Secretary of State may by order made with the consent of the Treasury provide that Transport for London shall not carry on such activities as are specified in the order except through
- [^{F1}(a) a limited liability partnership of which a subsidiary of Transport for London (but not Transport for London) is a member; or
 - (b) a company which is registered under the Companies Act 2006 and limited by shares or limited by guarantee and which is—
 - (i) a subsidiary of Transport for London; or
 - (ii) a company which Transport for London formed, or joined with others in forming, by virtue of section 156(1) above and which does not fall within sub-paragraph (i) above.]
- (2) The specification of an activity in an order under subsection (1) above shall not—
- (a) prevent Transport for London from entering into or carrying out under section 156(2) or (3) above an agreement with a person for the carrying on of that activity by that person; or
 - (b) affect the validity of such an agreement.
- (3) If it appears to the Secretary of State that Transport for London is carrying out, or proposes to carry out, otherwise than in compliance with an order under subsection (1) above any activities specified in such an order—
- (a) the Secretary of State may give a direction to Transport for London requiring it to comply with the order within such period as may be specified for the purpose in the order; and
 - (b) Transport for London shall be under a duty to comply with such a direction.
- (4) If Transport for London does not comply with a direction under subsection (3) above in the case of an activity to which the direction relates, Transport for London shall be treated in respect of the carrying out of that activity as not being a local authority for the purposes of—
- [^{F2}(a) section 984 of the Corporation Tax Act 2010 (exemption of local authorities from corporation tax);]
 - [^{F3}(aa) section 838 of the Income Tax Act 2007 (exemption of local authorities from income tax); and]
 - (b) section 271 of the ^{M1}Taxation of Chargeable Gains Act 1992 (exemption of local authorities from capital gains tax).

Textual Amendments

- F1** S. 157(1)(a)(b) substituted for words (4.7.2016) by [Transport for London Act 2016 \(c. i\)](#), ss. 1(1), **5(1)**
- F2** S. 157(4)(a) substituted (with effect in accordance with s. 1184(1) of the amending Act) by [Corporation Tax Act 2010 \(c. 4\)](#), s. 1184(1), **Sch. 1 para. 305** (with [Sch. 2](#))
- F3** S. 157(4)(aa) inserted (6.4.2007) by [Income Tax Act 2007 \(c. 3\)](#), s. 1034(1), **Sch. 1 para. 387(b)** (with [Sch. 2](#))

Commencement Information

- I1** S.157 wholly in force at 3.7.2000: s.157 in force at Royal Assent (11.11.1999)for certain purposes, see s.425(2); s. 157 in force (3.7.2000) in so far as not already in force by [S.I. 2000/801](#), art. 2(2)(c), **Sch. Pt. 3**

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Marginal Citations

M1 1992 c. 12.

158 Power of Mayor to transfer functions.

- (1) For the purpose of enabling any person to carry on any activities for which provision is made by an agreement under section 156(2) or (3) above or by a transport subsidiary's agreement, the Mayor may by order provide for any functions of Transport for London under any statutory provision to be exercisable by that person (whether to the exclusion of or concurrently with Transport for London).
- (2) An order under this section may—
 - (a) provide for the functions to cease to be so exercisable when the activities cease to be carried on by that person (whether by reason of the expiry or termination of the agreement or otherwise); and
 - (b) make such supplementary, incidental and consequential provision as the Mayor considers expedient.
- (3) The power of the Mayor to make an order under this section includes a power exercisable by order to revoke, amend or re-enact any such order.
- (4) An order made by the Mayor under this section shall not have effect unless and until it is confirmed by an order made by the Secretary of State.
- (5) This section does not apply to any function of Transport for London under this Act or any other statutory provision specifically amended by any provision of this Act.
- (6) Any reference in this section to Transport for London includes a reference to a subsidiary of Transport for London.

Commencement Information

I2 S.158 wholly in force at 3.7.2000: s.158 in force at Royal Assent (11.11.1999) for certain purposes, see s.425(2); s. 158 in force (3.7.2000) in so far as not already in force by [S.I. 2000/801](#), [art. 2\(2\)\(c\)](#), [Sch. Pt. 3](#)

Changes to legislation:

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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. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)