

Status: Point in time view as at 01/04/1996.

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SCHEDULES

SCHEDULE 1

Sections 1 and 24.

THE NEW AUTHORITIES

1 ^{F1}

Textual Amendments

^{F1} Sch. 1 para. 1, Sch. 3 repealed by Transport Act 1980 (c. 34, SIF 126), Sch. 9 Pt. III

^{F2}2

Textual Amendments

^{F2} Sch. 1 para. 2 repealed (G.B.) (1. 4. 1991) by S.I. 1991/510, reg. 5, Sch.

3 The Scottish Group shall consist of—
(a) a chairman appointed by the Secretary of State; and
(b) not more than ten nor less than five other members appointed by the Secretary of State after consultation with the chairman.

4 The chairman and other members of each of the new authorities shall be appointed from among persons who appear to the Minister or, as the case may be, the Secretary of State to have had wide experience of, and to have shown capacity in, transport, industrial, commercial or financial matters, applied science, administration or the organisation of workers.

5 In appointing the chairman and other members of any of the new authorities the Minister or, as the case may be, the Secretary of State shall have regard to the desirability of having members who are familiar with the special requirements and circumstance of particular regions and areas served by the authority in question. . . ^{F3}

Textual Amendments

^{F3} Words repealed by Transport Act 1980 (c. 34, SIF 126), Sch. 9 Pt. III

6 The provisions of Part I of Schedule 1 to the Act of 1962 (which relate to the constitution and proceedings, and to the members, of the Boards) shall have effect as if each of the new authorities were one of the Boards, but in relation to the Scottish Group as if for any reference therein to the Minister there were substituted a reference to the Secretary of State.

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SCHEDULE 2

Sections 3 and 27.

COMMENCING CAPITAL DEBTS OF NEW AUTHORITIES

- 1 Each of the new authorities shall severally assume a commencing capital debt due to the Minister of such amount respectively as the Minister may by order prescribe; and subsections (6) and (8) of section 39 of the Act of 1962 shall apply to that debt as they apply to the commencing capital debts of the Boards.
- 2 For the purposes of any period between the day appointed under section 166(2) of this Act for the purposes of the application to any of the new authorities of paragraph 1 of this Schedule, and the date of the making of the order with respect to that authority under that paragraph the Minister may estimate what the commencing capital debt of that authority is likely to be and require that authority to make to him provisional payments by way of interest on the estimated amount; and those provisional payments shall be on account of the payments of interest becoming due under section 39(6) of the Act of 1962 as applied by that paragraph.
- 3 Without prejudice to section 53(5) of this Act, the Minister may from time to time by order vary any of the amounts prescribed under paragraph 1 of this Schedule [^{F4}or in the case of the Freight Corporation, its commencing capital debt as determined by or under any enactment for the time being in force, where that appears to him to be expedient to take account]—
- (b) of any transfer of property, rights and liabilities under section 7(5) or (6) or 8(4) of this Act;
- and any such order may contain such transitional provisions as appear to the Minister expedient to take account any interest underpaid or overpaid on the commencing capital debt of the authority in question; . . .^{F5}

Textual Amendments

- F4** Words substituted by [Transport Act 1978 \(c. 55\), s. 15\(5\)\(c\)](#)
F5 Words repealed by [Transport Act 1978 \(c. 55\), Sch. 4](#)

- 4 The Minister's power to make an order under paragraph 1 or 3 of this Schedule shall be subject to the approval of the Treasury and any such order shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament.
- 5 In the application of this Schedule or section 39(6) and (8) of the Act of 1962 to the Scottish Group, any reference therein to the Minister shall be construed as a reference to the Secretary of State.

^{F6}SCHEDULE 3

Textual Amendments

- F6** [Sch. 1 para. 1, Sch. 3](#) repealed by [Transport Act 1980 \(c. 34, SIF 126\), Sch. 9 Pt. III](#)

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SCHEDULE 4

Sections 4, 5, 7, 8, 17, 28, 29 and 53.

SUPPLEMENTARY PROVISIONS AS TO CERTAIN TRANSFERS OF PROPERTY, RIGHTS AND LIABILITIES

Modifications etc. (not altering text)

- C1 Sch. 4 extended by [Transport Act 1978 \(c. 55\)](#), [s. 15\(3\)](#) and extended with modifications by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [ss. 27\(8\)](#), 46(6), 47(8)
- C2 Sch. 4 extended (with modifications) (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), [s. 85\(5\)–\(7\)](#)
- C3 Sch. 4 applied (with modifications) (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), [s. 129\(3\)–\(5\)](#)
- C4 Sch. 4 amended (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), [s. 139\(1\)](#), [Sch. 6 para. 26](#)
- C5 Sch. 4 applied (E.W.S.) by [Airports Act 1986 \(c. 31, SIF 9\)](#), [s. 75\(3\)–\(6\)](#)
- C6 Power to modify Sch. 4 conferred (E.W.S.) by [Airports Act 1986 \(c. 31, SIF 9\)](#), [s. 75\(5\)](#)
- C7 Sch. 4 modified (E.W.S.) by [S.I. 1985/1903](#), [art. 3 Sch. 1](#) and [S.I. 1986/1801 art. 3](#)
- C8 Sch. 4 applied (with modifications) by [Transport \(Scotland\) Act 1989 \(c. 23, SIF 126\)](#), [s. 6\(3\)](#)
- C9 Sch. 4 modified (6.12.1993) by [S.I. 1993/2797](#), [art.3](#), [Sch.](#)

Allocation of property, rights and liabilities

- 1 (1) The provisions of this paragraph shall have effect where a transfer to which this Schedule applies is a transfer of all property, rights and liabilities comprised in a specified part of the transferor's undertaking, but shall not apply to any such rights or obligations under an agreement for the rendering of personal services.
- (2) Any property, rights or liabilities held or subsisting partly for the purpose of a part of the transferor's undertaking which is transferred and partly for the purpose of a part of that undertaking which is retained by the transferor shall, where the nature of the property, rights or liability permits, be divided or apportioned between the transferor and the transferee in such proportions as may be appropriate; and, where any estate or interest in land falls to be so divided, any rent payable under a lease in respect of that estate or interest, and any rent charged on that estate or interest, shall be correspondingly apportioned or divided so that the one part is payable in respect of, or charged on, only one part of the estate or interest and the other part is payable in respect of, or charged on, only the other part of the estate or interest.
- (3) Sub-paragraph (2) of this paragraph shall apply, with any necessary modifications, in relation to any feuduty payable in respect of an estate or interest in land in Scotland as it applies in relation to any rent charged on an estate or interest in land.
- (4) Any property, rights or liabilities held or subsisting as mentioned in sub-paragraph (2) of this paragraph the nature of which does not permit their division or apportionment as so mentioned shall be transferred to the transferee or retained by the transferor according to which of them appear at the transfer date likely to make use of the property, or, as the case may be, to be affected by the right or liability, to the greater extent, subject to such arrangements for the protection of the other of them as may be agreed between them or, if either of them is, or on a vesting by virtue of this Act will become, a wholly-owned subsidiary of some other body, as may be agreed between them and that other body.
- (5) It shall be the duty of the transferor and the transferee, whether before or after the transfer date, so far as practicable to arrive at such written agreements, and to execute such other instruments, as are necessary or expedient to identify or define

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the property, rights and liabilities transferred to the transferee or retained by the transferor and as will—

- (a) afford to the transferor and the transferee as against one another such rights and safeguards as they may require for the proper discharge of their respective functions; and
- (b) make as from such date, not being earlier than the transfer date, as may be specified in that agreement or instrument such clarifications and modifications of the division of the transferor’s undertaking as will best serve the proper discharge of the respective functions of the transferor and the transferee;

and if either the transferor or the transferee is, or on a vesting by virtue of this Act will become, a wholly-owned subsidiary of some other body, references in the foregoing provisions of this sub-paragraph to the transferor or, as the case may be, the transferee shall include references to that other body.

- (6) Any such agreement shall provide so far as it is expedient—
 - (a) for the granting of leases and for the creation of other liabilities and rights over land whether amounting in law to interests in land or not, and whether involving the surrender of any existing interest or the creation of a new interest or not;
 - (b) for the granting of indemnities in connection with the severance of leases and other matters;
 - (c) for responsibility for registration of any matter in any description of statutory register.
- (7) If the transferor or the transferee (not being in either case a wholly-owned subsidiary of some other body), or any body of which the transferor or the transferee is, or on a vesting by virtue of this Act will become, a wholly-owned subsidiary, represents to the Minister, or if it appears to the Minister without such a representation, that it is unlikely in the case of any matter on which agreement is required under sub-paragraph (5) of this paragraph that such agreement will be reached, the Minister may, whether before or after the transfer date, give a direction determining the manner in which the property, rights or liabilities in question are to be divided between the transferor and the transferee, and may include in the direction any provision which might have been included in an agreement under the said sub-paragraph (5); and any property, rights or liabilities required by the direction to be transferred to the transferee shall be regarded as having been transferred to, and by virtue of this Act vested in, the transferee accordingly.

Rights and liabilities under agreement for rendering of personal services

- 2 (1) The provisions of this paragraph shall have effect where any rights and liabilities transferred under a transfer to which this Schedule applies are rights and liabilities under an agreement for the rendering of personal services.
- (2) Where the transfer is of all property, rights and liabilities comprised in a specified part of the transferor’s undertaking, the rights and liabilities under any agreement for the rendering of personal services by any person (hereafter in this paragraph referred to as “an employee”) shall be transferred only if immediately before the transfer date the employee is employed wholly or mainly for the purposes of the part of the transferor’s undertaking which is transferred.

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- (3) The transferor, the transferee or the employee may apply to the Minister to determine whether or not rights and liabilities in respect of the employee's services under any particular agreement are transferred, and the Minister's decision on the application shall be final.
- (4) Any right to services transferred shall have effect on and after the transfer date as a right not only to the services to which the agreement relates but also to any reasonably comparable services under the transferee to be selected by the transferee; and any dispute between the transferee and the employee as to what are reasonably comparable services for the purposes of this sub-paragraph may be reported to the Secretary of State for Employment and Productivity by the transferee and, if a dispute so reported is not otherwise disposed of, that Secretary of State shall refer it for determination by the industrial court.

Right to production of documents of title

- 3 Where on any transfer to which this Schedule applies the transferor is entitled to retain possession of any documents relating in part to the title to, or to the management of, any land or other property transferred to the transferee, the transferor shall be deemed to have given to the transferee an acknowledgement in writing of the right of the transferee to production of that document and to delivery of copies thereof; and, in England and Wales, section 64 of the ^{M1}Law of Property Act 1925 shall have effect accordingly, and on the basis that the acknowledgment did not contain any such expression of contrary intention as is mentioned in that section.

Marginal Citations

M1 1925 c. 20.

Perfection of vesting of certain property or rights

- 4 Where in the case of any transfer to which this Schedule applies any property or rights which fall to be transferred to the transferee cannot be properly vested in the transferee by virtue of this Act because transfers thereof are governed otherwise than by the law of a part of Great Britain, the transferor shall take all practicable steps for the purpose of securing that the ownership of the property or, as the case may be, the right is effectively transferred.

Proof of title by certificate

- 5 In the case of any transfer to which this Schedule applies, a joint certificate . . . ^{F7} by or on behalf of the Railways Board and the Scottish Group, that any property specified in the certificate, or any such interest in or right over any such property as may be so specified, or any right or liability so specified, is by virtue of this Act for the time being vested in, or in such wholly-owned subsidiary of, such one of the certifying authorities as may be so specified shall be conclusive evidence for all purposes of that fact; and if on the expiration of one month after a request from one of those authorities for the preparation of such a joint certificate as respects any property, interest, right or liability, the authorities concerned have failed to agree

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on the terms of the certificate, they shall refer the matter to the Minister and issue the certificate in such terms as the Minister may direct.

Textual Amendments

F7 Words repealed by [Transport Act 1980 \(c. 34, SIF 126\)](#), [Sch. 9 Pt. III](#)

Restrictions on dealing with certain land

6 If the Minister is satisfied on the representation of the Railways Board, . . . ^{F8}
 or the Scottish Group that, in consequence of a transfer to which this Schedule applies, different interests in land, whether the same or different land, are held by, or by a wholly-owned subsidiary of, that authority and by, or by a wholly-owned subsidiary of, another of those authorities and that the circumstances are such that this paragraph should have effect, the Minister may direct that this paragraph shall apply to such of that land as may be specified in the direction, and while that direction remains in force—

- (a) none of those authorities or their subsidiaries entitled to any interest in any of the specified land shall dispose of that interest except with the consent of the Minister;
- (b) if in connection with any proposal to dispose of an interest of one of those authorities or their subsidiaries in any of the specified land it appears to the Minister to be necessary or expedient for the protection of any other of them, the Minister may—
 - (i) require any of those authorities or their subsidiaries entitled to an interest in any of the specified land to dispose of that interest to such person and in such manner as may be specified in the requirement; or
 - (ii) require any of those authorities or their subsidiaries to acquire from any other of them any interest in any of the specified land to which that other authority or subsidiary is entitled; or
 - (iii) consent to the proposed disposal subject to compliance with such conditions as the Minister may see fit to impose;

but a person other than one of those authorities or their subsidiaries dealing with, or with a person claiming under, one of those authorities or subsidiaries shall not be concerned to see or inquire whether this paragraph applies or has applied in relation to any land to which the dealing relates or as to whether the provisions of this subsection have been complied with in connection with that or any other dealing with that land, and no transaction with or between persons other than those authorities or subsidiaries shall be invalid by reason of any failure to comply with those provisions.

Textual Amendments

F8 Words repealed by [Transport Act 1980 \(c. 34, SIF 126\)](#), [Sch. 9 Pt. III](#)

Construction of agreements, statutory provisions and documents

7 Where in the case of any transfer to which the Schedule applies any of the rights or liabilities transferred are rights or liabilities under an agreement to which the

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transferor was a party immediately before the transfer date, whether in writing or not, and whether or not of such nature that rights and liabilities thereunder could be assigned by the transferor, that agreement shall have effect on and after the transfer date as if—

- (a) the transferee had been a party to the agreement, and
- (b) for any reference (however worded and whether express or implied) to the transferor there were substituted, as respects anything falling to be done on or after the transfer date, a reference to the transferee, and
- (c) any reference (however worded and whether express or implied) to any officer or any servant of the transferor were, as respects anything falling to be done on or after the transfer date, a reference to such person as the transferee may appoint or, in default of appointment, to the officer or servant of the transferee who corresponds as nearly as may be to that officer or servant of the transferor, and
- (d) where the agreement refers to property, rights or liabilities which fall to be apportioned or divided between the transferor and the transferee, as if the agreement constituted two separate agreements separately enforceable by and against the transferor and the transferee respectively as regards the part of the property, rights and liabilities retained by the transferor or, as the case may be, the part thereof vesting in the transferee and not as regards the other part;

and sub-paragraph (d) of this paragraph shall apply in particular to the covenants, stipulations and conditions of any lease by or to the transferor.

- 8 Save as otherwise provided by any provision of this Act (whether expressly or by necessary implication) paragraph 7 of this Schedule, except sub-paragraph (a) thereof, shall apply in relation to any statutory provision, any provision of any agreement to which the transferor was not a party, and any provision of any document other than an agreement, if and so far as the provision in question relates to any of the transferred rights and liabilities, as it applies in relation to an agreement to which the transferor was a party, and, in relation to any such statutory or other provision as aforesaid, references in sub-paragraphs (b) and (c) of that paragraph to the transferor and to any officers or servants of the transferor include references made by means of a general reference to a class of persons of which the transferor is one, without the transferor himself being specifically referred to.
- 9 On and after the transfer date for any transfer to which this Schedule applies, any statutory provision to which paragraph 2(3) of Schedule 6 to the Act of 1962 applies if and so far as the provision in question relates to any of the transferred rights and liabilities, shall have effect as if—
 - (a) any of the references modified by paragraph (a) of the said paragraph 2(3) were, as respects anything falling to be done on or after the transfer date, a reference to such person as the transferee may appoint, and
 - (a) any of the references modified by paragraph (b) of the said paragraph 2(3) were, as respects a period beginning with the transfer date, a reference to so much of the undertaking of the transferee as corresponds as mentioned in the said paragraph (b).
- 10 Without prejudice to the generality of the provisions of paragraphs 7 to 9 of this Schedule, the transferee under a transfer to which this Schedule applies and any other person shall, as from the transfer date, have the same rights, powers and remedies (and in particular the same rights and powers as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority)

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for ascertaining, perfecting or enforcing any right or liability transferred to and vested in the transferee by virtue of this Act as he would have had if that right or liability had at all times been a right or a liability of the transferee, and any legal proceedings or applications to any authority pending on the transfer date by or against the transferor, in so far as they relate to any property, right or liability transferred to the transferee by virtue of this Act, or to any agreement or enactment to any such property, right or liability, shall be continued by or against the transferee to the exclusion of the transferor.

- 11 If, in the case of any transfer to which this Schedule applies the effect of any agreement, and in particular any agreement under the Railway Road Transport Acts of 1928 mentioned in paragraph 1 of Part II of Schedule 2 to the Act of 1962, which was executed before the passing of this Act and to which the transferee is by virtue of this Act a party depends on whether the transferee has power to carry on any activity, it shall be assumed for the purposes of the agreement that any activity which requires the consent of the Minister under the Act of 1962 or this Act has been authorised by such a consent.
- 12 (1) References in paragraphs 7 to 11 of this Schedule to agreements to which the transferor was a party and to statutory provisions include in particular references to agreements to which the transferor became a party by virtue of the Act of 1962 and statutory provisions which applied to the transferor by virtue of that Act.
- (2) The provisions of the said paragraphs 7 to 11 shall have effect for the interpretation of agreements, statutory provisions and other instruments subject to the context, and shall not apply where the context otherwise requires.

Third parties affected by vesting provisions

- 13 (1) Without prejudice to the provisions of paragraphs 7 to 12 of this Schedule, any transaction effected between a transferor and a transferee in pursuance of paragraph 1(5) or of a direction under paragraph 1(7) of this Schedule shall be binding on all other persons, and notwithstanding that it would, apart from this sub-paragraph, have required the consent or concurrence of any other person.
- (2) It shall be the duty of the transferor and transferee, if they effect any transaction in pursuance of the said paragraph 1(5) or a direction under the said paragraph 1(7), to notify any person who has rights or liabilities which thereby become enforceable as to part by or against the transferor and as to part by or against the transferee, and if such a person applies to the Minister and satisfies him that the transaction operated unfairly against him the Minister may give such directions to the transferor and the transferee as appear to him appropriate for varying the transaction.
- (3) If in consequence of a transfer to which this Schedule applies or of anything done in pursuance of the provisions of this Schedule the rights or liabilities of any person other than one of the Boards or new authorities or a wholly-owned subsidiary thereof which were enforceable against or by the transferor become enforceable as to part against or by the transferor and as to part against or by the transferee, and the value of any property or interest of that person is thereby diminished, such compensation as may be just shall be paid to that person by the transferor, the transferee or both, and any dispute as to whether and if so how much compensation is so payable, or as to the person to whom it shall be paid, shall be referred to and determined by an arbitrator appointed by the Lord Chancellor or, where the proceedings are to be held in Scotland, by an arbiter appointed by the Lord President of the Court of Session.

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- (4) Where the transferor or the transferee under a transfer to which this Schedule applies purports by any conveyance or transfer to transfer to some person other than one of the Boards or new authorities or a wholly-owned subsidiary thereof for consideration any land or any other property which before the transfer date belonged to the transferor, or which is an interest in property which before that date belonged to the transferor, the conveyance or transfer shall be as effective as if both the transferor and the transferee had been parties thereto and had thereby conveyed or transferred all their interest in the property conveyed or transferred.
- (5) If at any stage of any court proceedings to which the transferor or transferee under a transfer to which this Schedule applies and a person other than one of the Boards or new authorities or a wholly-owned subsidiary thereof are parties, it appears to the court that the issues in the proceedings depend on the identification or definition of any of the property, rights or liabilities transferred which the transferor and the transferee have not yet effected, or to raise a question of construction on the relevant provisions of this Act which would not arise if the transferor and the transferee constituted a single person, the court may, if it thinks fit on the application of a party to the proceedings other than such a body as aforesaid, hear and determine the proceedings on the footing that such one of the transferor and the transferee as is a party to the proceedings represents and is answerable for the other of them, and that the transferor and the transferee constitute a single person, and any judgment or order given by the courts, shall bind both the transferor and the transferee accordingly.
- (6) It shall be the duty of the transferor and the transferee under any transfer to which this Schedule applies to keep one another informed of any case where either of them may be prejudiced by sub-paragraph (4) or (5) of this paragraph, and if either the transferor or the transferee claims that he has been so prejudiced and that the other of them ought to indemnify or make a payment to him on that account and has unreasonably failed to meet that claim, he may refer the matter to the Minister for determination by the Minister.

SCHEDULE 5

Section 9.

PASSENGER TRANSPORT AUTHORITIES AND EXECUTIVES

[^{F9}]^{F10}PART I

Textual Amendments

F9 Sch. 5 Pt. I repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(1\)](#), [Sch. 8](#)

F10 Sch. 5 Pt. I repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

The Authority

- 1 The Authority established for a designated area under an order made under section 9(1) of this Act shall consist of—

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- (a) such number of members appointed respectively by such of the councils of constituent areas, or by such two or more of those councils acting jointly, as may be specified in the order;
- [such number of members not exceeding one-sixth of the aggregate number of the members appointed under sub-paragraph (a) of this paragraph as the Minister may see fit to appoint from among persons appearing to him to have special knowledge or experience which would be of value to the Authority in the exercise of their functions;]
- ^{F11}(b) and the chairman of the Authority shall be such one of their number as the members of the Authority may [^{F12}with the approval of the Minister] appoint.

Textual Amendments

- F11** Para 1(b) repealed (E.W.) by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)
- F12** Words repealed (E.W.) by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

- 2 If and to such extent as it appears to him appropriate so to do, the Minister may, in determining the council or councils by whom members of the Authority are to be appointed under paragraph 1(a) of this Part of this Schedule, take into account the product of a rate of [^{F13}one new penny] in the pound for so much of the respective areas of the councils of constituent areas as falls within the designated area.

Textual Amendments

- F13** Words substituted by [Decimal Currency Act 1969 \(c. 19\)](#), [Sch. 2 para. 31](#) in relation to anything falling to be done after 31.3.1971

- 3 A person may be appointed as a member of the Authority for a designated area under the said paragraph 1(a) whether or not he is a member of the council or one of the councils by whom he is so appointed; but no person who is for the time being a member, officer or servant of the Executive for that designated area or who is for the time being a servant of a subsidiary of that Executive shall be appointed as a member of the Authority, and any person appointed to be a member of the Authority who subsequently becomes a member, officer or servant of that Executive or a servant of such a subsidiary shall forthwith vacate his membership of the Authority.
- 4 A person who at the date of his appointment as a member of the Authority under the said paragraph 1(a) was a member of the council or one of the councils by whom he was so appointed but who subsequently ceases to be a member of that council shall upon so ceasing also vacate office as a member of the Authority but shall be eligible for re-appointment.
- 5 If at any time not less than three months after the coming into force of the order under section 9(1) of this Act providing for the establishment of the Authority, or after a vacancy has arisen among the members of the Authority which falls to be filled by an appointment made under the said paragraph 1(a), the initial appointment of any member of the Authority falling to be made as aforesaid, or, as the case may be, an appointment to fill that vacancy, has not been made, the Minister, after consultation with the council or councils by whom the appointment falls to be made, may himself make the appointment on their behalf.]]

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PART II

The Executive

[^{F14} The first persons to be appointed as the Director General or other members of the Executive for a designated area shall be appointed by the Authority for that area as soon as practicable after the [^{F15}establishment of that Authority.][^{F15}area has been designated].]

Textual Amendments

- F14** Sch. 5 Pt. II para. 1 repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(2\)\(a\)](#), Sch. 8
- F15** Words “area” to “designated” substituted (S.) for words “establishment of that Authority” by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 18 para. 21\(2\)](#)

2 No person who is for the time being a member of the Authority for the passenger transport area shall be appointed as a member of the Executive, and any person appointed to be a member of the Executive who subsequently becomes a member of the Authority for the passenger transport area shall forthwith vacate his membership of the Executive.

3 (1) Subject to paragraph 2 of this Part of this Schedule a member of the Executive shall hold and vacate his office in accordance with the terms of his appointment by the Authority and shall, on ceasing to be a member, be eligible for reappointment.

(2) Any member of the Executive may at any time by notice in writing to the Authority resign his office.

4 The Executive shall pay to or in respect of the members thereof such remuneration, allowances and pensions as the Authority may determine.

5 ^{F16}

Textual Amendments

- F16** Sch. 5 Pt. II para. 5 repealed by [Superannuation Act 1972 \(c. 11, SIF 101A:1\)](#), s. 29(4), [Sch. 8](#)

PART III

Matters which may be dealt with by order under s. 9(1)

[^{F17} The fixing and notification of the [^{F18}dates on which the Authority and Executive respectively are][^{F18}date on which the Executive is] to be established.^{F19}]

Textual Amendments

- F17** Sch. 5 Pt. III para. 1 repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(3\)\(a\)](#), Sch. 8
- F18** Words “date” to “is” substituted (S.) for words “dates” to “are” by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 18 para. 21\(3\)](#)

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

F19 Para 2 repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(3\)\(a\)](#), Sch. 8

2 The incorporation of the Authority.

3 The appointment—

^{F20}[in accordance with Part I of this Schedule of members of the Authority;
^{F21}(a) and]]

(b) by the Authority in accordance with [^{F22}section 9(1)(b)][^{F22}section 9(2)] of this Act and Part II of this Schedule of members of the Executive.

Textual Amendments

F20 Para. 3(a) repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(3\)\(a\)](#), Sch. 8

F21 Sch. 5 Pt. III para. 1 repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(3\)\(a\)](#), Sch. 8

F22 “9(2)” substituted (E.W.S.) for “9(1)(b)” by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 57(6), [Sch. 3 para. 21\(3\)](#)

^{F23}4 The terms on which and period for which the members of the Authority are to hold office, and the vacation of office by those members.]

Textual Amendments

F23 Sch. 5 paras. 4, 5 repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(3\)\(a\)](#), Sch. 8

^{F24}5 The payment of allowances to, or to any class of, members of the Authority, and the payment of remuneration to the chairman of the Authority.]

Textual Amendments

F24 Sch. 5 paras. 4, 5 repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(3\)\(a\)](#), Sch. 8

6 The proceedings of [^{F25}the Authority and] the Executive [^{F25}respectively].

Textual Amendments

F25 Words repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 57(6), [Sch. 3 para. 21\(3\)\(b\)](#)

7 The establishment by [^{F26}the Authority and] the Executive [^{F26}respectively] of committees and the composition of those committees, including the establishment of advisory committees consisting wholly or partly of persons who are not members of the Authority or Executive.

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

Textual Amendments

F26 Words repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 57(6), [Sch. 3 para. 21\(3\)\(b\)](#)

- 8 The delegation of functions by [^{F27}the Authority or] the Executive to a committee or to [^{F27}the chairman of the Authority or, as the case may be,] the Director General of the Executive.

Textual Amendments

F27 Words repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(3\)\(c\)](#), Sch. 8

- 9 The authentication of documents of [^{F28}the Authority and] the Executive [^{F28}respectively] and provision for the treatment of such documents as evidence, and in Scotland sufficient evidence, of such facts as may be specified by the order.

Textual Amendments

F28 Words repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 57(6), [Sch. 3 para. 21\(3\)\(b\)](#)

- [^{F29}10 The appointment by, or provision by the Executive for, the Authority of officers and servants, and the payment of remuneration and allowances to any officers and servants appointed by the Authority.]

Textual Amendments

F29 Para. 10 repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c.67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(3\)\(a\)](#), Sch. 8

- 11 Provision—
- (a) for treating [^{F30}the Authority or] any subsidiary of the Executive for the purposes of pensions to or in respect of persons who are or have been employed by them as if they were the Executive for a [^{F31}designated][^{F31}passenger transport] area;
 - (b) as to the fund in the benefits of which any persons who are or have been employed by [^{F30}the Authority] the Executive or a subsidiary of the Executive are to be entitled to participate;
 - [^{F32}(c) for the transfer to the authority administering that fund in relation to any such persons, instead of to the Executive, of any other fund in the benefits of which those persons are entitled to participate which would otherwise fall to be transferred to the Executive by an order under section 17 of this Act.]

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

Textual Amendments

- F30** Words repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), **Sch. 3 para. 21(3)(d)**, Sch. 8
- F31** Words “passenger transport” substituted (E.W.S.) for “designated” by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 57(6), **Sch. 3 para. 2(b)**
- F32** Sch. 5 para. 11(c) repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), **Sch. 3 para. 21(3)(a)**, Sch. 8

[^{F33}12 The provision of accommodation for the Authority by the Authority or by the Executive.]

Textual Amendments

- F33** Para. 12 repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29** and repealed (E.W.S.) by [Transport Act 1985 \(c.67, SIF 126\)](#), ss. 57(6), 139(3), **Sch. 3 para. 21(3)(a)**, Sch. 8

13 Provision applying, with or without modifications, to [^{F34}the Authority or] the Executive, or to persons who are or have been members of [^{F34}the Authority or] the Executive, or officers or servants of [^{F34}the Authority], the Executive or any subsidiary of the Executive, any enactment or instrument made under an enactment relating, as the case may be, to, or to persons who are or have been members of, or officers or servants of, local authorities or local authorities of a particular description.

Textual Amendments

- F34** Words repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29** and repealed (E.W.S.) by [Transport Act 1985 \(c.67, SIF 126\)](#), ss. 57(6), 139(3), **Sch. 3 para. 21(3)(e)**, Sch. 8

[^{F35}14 The making of reports and the furnishing of information by the Authority and Executive to the Minister.]

Textual Amendments

- F35** Para. 14 repealed (E.W.) (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29** and [Local Government Act 1974 \(c. 7\)](#), **Sch. 8**

15 Any particular matters to be dealt with in the annual report of the Authority and the Executive under section 16 of this Act.

[^{F36}16 Provision for the person or persons by whom a member of the Authority is appointed to appoint also a deputy to act in that member’s place at any meeting of the Authority from which that member is absent, and for applying in relation to any such deputy, with or without modifications, any provision with respect to members of the Authority made by this Act or by the order.]

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

Textual Amendments

F36 Sch. 5 paras. 16, 17 repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#) and repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), [Sch. 3 para. 21\(3\)\(a\)](#), Sch. 8

- 17 Provision, as respects any period before the Authority appoint or are provided with their own officers and servants, for the discharge of functions of officers or servants of the Authority (including the convening of the first meeting of the Authority) by such officers or servants of such of the councils of constituent areas as may be determined in accordance with the order.

SCHEDULE 6

. . . **F37**

Textual Amendments

F37 Sch. 6 repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 57(6), 139(3), Sch. 3 para. 1, [Sch. 8](#)

^{F38}SCHEDULE 7

Section 28.

BODIES WHOSE SECURITIES ARE TRANSFERRED TO BUS COMPANY

Textual Amendments

F38 Sch. 7 repealed (G.B.) (1. 4. 1991) by [S.I. 1991/510](#), [reg. 5](#), Sch.

- Aldershot and District Traction Company Limited.
Amalgamated Passenger Transport Limited.
Bath Electric Tramways Limited.
Bath Tramways Motor Company Limited.
The Birmingham and District Investment Trust Limited.
The Birmingham and Midland Motor Omnibus Company Limited.
Brighton, Hove and District Omnibus Company Limited.
Bristol Commercial Vehicles Limited
Bristol Omnibus Company Limited.
British Transport Advertising Limited.
The City of Oxford Motor Services Limited.

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

Cheltenham District Traction Company.
Crosville Motor Services Limited.
Cumberland Motor Services Limited.
The Devon General Omnibus and Touring Company Limited.
Durham District Services Limited.
East Kent Road Car Company Limited.
East Midland Motor Services Limited.
East Yorkshire Motor Services Limited.
Eastern Coach Works Limited.
Eastern Counties Omnibus Company Limited.
The Eastern National Omnibus Company Limited.
Greenslades Tours Limited.
Hants and Dorset Motor Services Limited.
Hebble Motor Services Limited.
Lincolnshire Road Car Company Limited.
London Coastal Coaches Limited.
The Maidstone and District Motor Services Limited.
Mansfield District Traction Company.
The Mexborough and Swinton Traction Company Limited.
The Midland General Omnibus Company Limited.
Neath and Cardiff Luxury Coaches Limited.
North Western Road Car Company Limited.
The Northern General Transport Company Limited.
Nottinghamshire and Derbyshire Traction Company.
Newbury and District Motor Services Limited.
Otley Omnibus Stations Limited.
Park Royal Vehicles Limited.
The Potteries Motor Traction Company Limited.
Red and White Services Limited.
The Rhondda Transport Company Limited.
Ribble Motor Services Limited.
Shamrock and Rambler Motor Coaches Limited.

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

South Midland Motor Services Limited.
The South Wales Transport Company Limited.
Southdown Motor Services Limited.
The Southern National Omnibus Company Limited.
The Southern Vectis Omnibus Company Limited.
T.H.C. Bus Nominees Limited.
The Thames Valley Traction Company Limited.
Thomas Brothers (Port Talbot) Limited.
Throughways Transport Limited.
Tillings Transport (T.H.C.) Limited.
A. Timpson and Sons Limited.
Trent Motor Traction Company Limited.
United Automobile Services Limited.
United Counties Omnibus Company Limited.
United Welsh Services Limited.
West Riding Automobile Company Limited.
West Yorkshire Road Car Company Limited.
The Western National Omnibus Company Limited.
Western Welsh Omnibus Company Limited.
Wilts and Dorset Motor Services Limited.
The Yorkshire Traction Company Limited.
Yorkshire Woollen District Transport Company Limited.
[^{F39}London Country Bus Services Limited.]]

Textual Amendments

F39 Words added by S.I. 1968/1980, art. 2

SCHEDULE 8

Section 32.

NEW BUS GRANTS—SUPPLEMENTARY PROVISIONS

1 Any person who for the purpose of an application for a grant under section 32 of this Act knowingly or recklessly makes any statement or produces any document which is false in a material particular shall be guilty of an offence and liable—

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

- (a) on summary conviction to a fine not exceeding £400; or
- (b) on conviction on indictment to a fine, or to imprisonment for a term not exceeding two years, or to both.
- 2 The Minister may by notice require any person who has received a grant under the said section 32, and any person acting on his behalf, to furnish to the Minister such information, or to produce for examination on behalf of the Minister such books, records or other documents, as may be specified in the notice for the purpose of enabling the Minister to determine whether any condition subject to which the grant is made is satisfied or is being complied with or whether the grant has become repayable in whole or in part in accordance with any such condition.
- 3 A notice under paragraph 2 of this Schedule may require the information to which it relates to be furnished within such time as may be specified in the notice, and may require the documents to which it relates to be produced at such time and place as may be so specified; but the time specified in such a notice for furnishing any information or producing any document shall not be earlier than the end of the period of twenty-eight days beginning with the service of the notice.
- 4 A notice under paragraph 2 of this Schedule may be served—
- (a) by delivering it to the person on whom it is to be served;
- (b) by leaving it at the usual or last known place of abode of that person;
- (c) by sending it by registered letter, or by the recorded delivery service, addressed to that person at his usual or last known place of abode; or
- (d) in the case of an incorporated company or body, by delivering it to the secretary or clerk of the company or body at their registered or principal office, or sending it by registered letter, or by the recorded delivery service, addressed to the secretary or clerk of the company or body at that office.
- 5 Any person who, in purported compliance with a notice under paragraph 2 of this Schedule, knowingly or recklessly makes any statement or produces any document which is false in a material particular shall be guilty of an offence and liable—
- (a) on summary conviction to a fine not exceeding £400; or
- (b) on conviction on indictment to a fine, or to imprisonment for a term not exceeding two years, or to both.
- 6 Any person who without reasonable excuse fails to comply with a notice under paragraph 2 of this Schedule shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100 or, on a second or subsequent conviction, £400.
- 7 Any person who without reasonable excuse fails to comply with any condition subject to which a grant was made to him under the said section 32 requiring him to inform the Minister of any event whereby the grant becomes repayable in whole or in part shall be guilty of an offence and liable—
- (a) on summary conviction, to a fine not exceeding £400; or
- (b) on conviction on indictment, to a fine.
- 8 F40

Textual Amendments

F40 Sch. 8 para. 8 repealed by Criminal Law Act 1977 (c. 45, SIF 39:1), Sch. 13

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

- 9 Summary proceedings in Scotland for an offence under paragraph 7 of this Schedule shall not be commenced after the expiration of three years from the commission of the offence, but subject to the foregoing limitation and notwithstanding anything in [^{F41}section 331 of the ^{M2}Criminal Procedure (Scotland) Act 1975] such proceedings may be commenced at any time within twelve months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings comes to his knowledge or, where such evidence was reported to him by the Minister, within twelve months after the date on which it came to the Minister's knowledge; and [^{F41}subsection (3) of the said section 331] shall apply for the purposes of this paragraph as it applies for the purposes of that section.

Textual Amendments

F41 Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\), s. 460\(1\)\(b\)](#)

Marginal Citations

M2 [1975 c. 21.](#)

- 10 For the purposes of paragraphs 8 and 9 of this Schedule, a certificate of the Minister, [^{F42}the Director of Public Prosecutions] or the Lord Advocate, as the case may be, as to the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact.

Textual Amendments

F42 Words repealed (E.W.) by [Prosecution of Offences Act 1985 \(c. 23, SIF 39:1\), s. 31\(6\), Sch. 2](#)

- 11 (1) Where an offence under this Schedule committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (2) In the foregoing sub-paragraph “director”, in relation to a body corporate established by or under any enactment for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by its members, means a member of that body corporate.

[^{F43}^{F44}SCHEDULE 8A

TRANSFER OF OPERATING CENTRES]

Textual Amendments

F43 [Sch. 8A](#) repealed (1.1.1996) by [1995 c. 23, s. 60\(2\), Sch. 8 Pt. I](#) (with ss. 54, 55); [S.I. 1995/2181, art. 2](#)

F44 [Sch. 8A](#) inserted (*prosp.*) by [1994 c. 40, ss. 50\(2\), 82, Sch. 12](#)

Status: Point in time view as at 01/04/1996.

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SCHEDULE 9

. . . F45

Textual Amendments

F45 Sch. 9 repealed by Transport Act 1982 (c. 49, SIF 126), Sch. 6

F46 SCHEDULE 10

Section 94.

Textual Amendments

F46 Sch. 10 repealed (1.1.1996) by 1995 c. 23, s. 60(2), Sch. 8 Pt. I (with ss. 54, 55); S.I. 1995/2181, art. 2 (with transitional provisions in Sch.)

SCHEDULE 11

Section 103.

AMENDMENTS CONSEQUENTIAL ON PART VI

. . . F55

Textual Amendments

F55 Words repealed by Employment Act 1980 (c. 42), Sch. 2

THE ROAD TRAFFIC ACT ^{M9}1960

Marginal Citations

M9 1960 c. 16.

Section 11(1)(a)(production of records).

For the words "section 16 of that Act" there shall be substituted the words "Part VI of the Transport Act 1968".

. . . F56

Section 247 (destination of fines).

References to . . .
F57

the foregoing provisions thereof shall include references to Part VI of this Act.

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

Section 255 (method of calculating weight of vehicles). The reference to the Act of 1960 shall include a reference to Part VI of this Act.

Textual Amendments

- F56** Entry repealed by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 3, **Sch. 1** (with [Sch. 4 paras. 1–3](#))
- F57** Words repealed by [Road Traffic Act 1972 \(c. 20\)](#), s. 205, **Sch. 9 Pt. 1**

...
F57
...
F58
...

Textual Amendments

- F58** Words repealed by [Wages Councils Act 1979 \(c. 12\)](#), s. **31(1) Sch. 7**

SCHEDULE 12

Section 104.

COMMERCIAL AND CRUISING WATERWAYS

PART I

COMMERCIAL WATERWAYS

The main navigable channels of the following waterways:—

The Aire and Calder Navigation from the tail of River Lock, Leeds, and from the Calder and Hebble navigation at Wakefield, to its entrance to Goole Docks and to its junction with the River Ouse at Selby.

The Calder and Hebble Navigation from the tail of Greenwood Lock to its junction with the Aire and Calder Navigation at Wakefield.

The Caledonian Canal.

The Crinan Canal.

The Sheffield and South Yorkshire Navigation from the tail of the bottom lock at Tinsley to its junction with the River Trent at Keadby.

The New Junction Canal connecting the Sheffield and South Yorkshire Navigation with the Aire and Calder Navigation.

The Trent Navigation from the tail of Meadow Lane Lock, Nottingham, to Gainsborough Bridge.

The Weaver Navigation and the Weston Canal from Winsford Bridge to the junctions with the Manchester Ship Canal at Marsh Lock and at Delamere Dock.

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

The River Severn from Stourport to its junction with the Gloucester and Sharpness Canal at Gloucester.

The Gloucester and Sharpness Canal.

The River Lee Navigation from Hertford to the River Thames at Limehouse and to the tail of Bow Locks.

PART II

CRUISING WATERWAYS

The main navigable channels of the following waterways:—

The Ashby Canal from its junction with the Coventry Canal to Snarestone.

The Birmingham Canal from its junction with the Birmingham and Fazeley Canal at Farmer's Bridge and from its junction with the Worcester and Birmingham Canal at Worcester Bar to its junction with the Staffordshire and Worcestershire Canal at Aldersley by way of the Birmingham level as far as the head of Factory Locks, Tipton, and thence by way of the Wolverhampton Level, including the branch leading to its junction with the Stourbridge Canal at Black Delph by way of the Netherton Tunnel.

The Birmingham and Fazeley Canal from its junction with the Birmingham Canal at Farmer's Bridge to its junction with the Trent and Mersey Canal at Fradley, including the detached portion of the Coventry Canal between Huddlesford Junction and Fradley Junction and the Digbeth branch.

The Calder and Hebble Navigation from Sowerby Bridge to the tail of Greenwood Lock, including the Huddersfield Broad Canal to Aspley Basin.

The Chesterfield Canal from the tail of Morse Lock, Worksop, to its junction with the River Trent.

The Coventry Canal from its junction with the Birmingham and Fazeley Canal at Fazeley to Coventry.

The Erewash Canal from Tamworth Road Bridge to its junction with the River Trent.

The Fossdyke Navigation.

The Grand Union Canal from its junctions with the Birmingham and Fazeley Canal at Digbeth and Salford to its junctions with the River Thames at Brentford and at Regent's Canal Dock, including the branches to Northampton and Aylesbury and the Hertford Union Canal leading to the River Lee at Old Ford.

The Grand Union Canal from Leicester to Norton Junction, including the branch to Market Harborough.

The Kennet and Avon Canal from High Bridge, Reading, to the tail of Tyle Mill Lock, and from the head of Bull's Lock to the tail of Hamstead Lock, and from the tail of Hanham Lock to the tail of the bottom lock at Bath.

The Lancaster Canal from Preston to Tewitfield, including the branch to Glasson Dock.

The Leeds and Liverpool Canal from Old Road Bridge, Aintree, to Leeds, including the branches to Tarleton and Leigh.

Status: Point in time view as at 01/04/1996.

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The Macclesfield Canal.

The Oxford Canal from its junction with the Grand Union Canal at Braunston to its junction with the Coventry Canal at Hawkesbury and from its junction with the Grand Union Canal at Napton to Oxford, including the branch to the River Thames.

The Peak Forest Canal from the top of Marple Locks to Whaley Bridge.

The Ripon Canal from its junction with the River Ure to the tail of Littlethorpe Lock.

The Shropshire Union Canal from its junction with the Manchester Ship Canal at Ellesmere Port to its junction with the Staffordshire and Worcestershire Canal at Atherley, including the branches to the River Dee at Chester, to Llantisilio and to Middlewich.

The River Soar Navigation from its junction with the River Trent to Leicester.

The Staffordshire and Worcestershire Canal.

The River Stort Navigation.

The Stourbridge Canal from its junction with the Birmingham Canal at Black Delph to its junction with the Staffordshire and Worcestershire Canal at Stourton.

The Stratford-on-Avon Canal from its junction with the Worcester and Birmingham Canal at King's Norton to its junction with the Grand Union Canal at Kingswood.

The Trent and Mersey Canal, including the branch to Hall Green.

The Trent Navigation from Shardlow to the tail of Meadow Lane Lock, Nottingham, by way of the Beeston Canal and part of the Nottingham Canal and including the branch to the River Soar and the length of the River Trent from its junction with the Nottingham Canal to Beeston Weir.

The River Ure Navigation from its junction with the Ripon Canal to Swale Nab.

The Witham Navigation from Lincoln to Boston.

The Worcester and Birmingham Canal.

SCHEDULE 13

Sections 104, 105 and 112.

ORDER RELATING TO INLAND WATERWAYS

Preliminary

- 1 Before making an order under section 104(3), 105(3) or 112 of this Act the Minister shall comply with the requirements of this Schedule applicable to that order and may then make the order as originally proposed or with such modifications as he thinks fit.

Modifications etc. (not altering text)

C11 Sch. 13 para. 1 modified (1.6.1993) by S.I. 1993/1119, reg. 4(1)(a), Sch. 1 para. 3(2)

Status: Point in time view as at 01/04/1996.

Changes to legislation: Transport Act 1968 is up to date with all changes known to be in force on or before 19 June 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)

Consultation

- 2 (1) In the case of a proposed order under section 104(3) adding to or reducing the waterways in Part I of Schedule 12 to this Act, the Minister shall consult with any organisation appearing to him to represent persons operating, or (in relation to a waterway which is to be added) desiring to operate, commercial freight-carrying vessels on the waterway in respect of which the order is to be made.
- (2) In the case of a proposed order under section 104(3)—
- (a) adding to or reducing the waterways in Part II of that Schedule; or
 - (b) removing from Part I without adding to Part II thereof a waterway which is to a substantial extent used by cruising craft,
- the Minister shall consult with the Inland Waterways Amenity Advisory Council, consultation in a case within paragraph (b) above being limited to the effect of the proposed order on such use as is mentioned in that paragraph.

Modifications etc. (not altering text)

C12 Sch. 13 para. 2(1) modified (1.6.1993) by S.I. 1993/1119, reg. 4 (1)(a), Sch. 1 para. 3(3)

C13 Sch. 13 para. 2(2) modified (1.6.1993) by S.I. 1993/1119, reg. 4(1)(a), **Sch. 1 para. 3(4)**

- 3 In the case of a proposed order under section 105(3)—
- (a) in respect of a commercial waterway or any part thereof, the Minister shall consult—
 - (i) with any organisation appearing to him to represent persons operating commercial freight-carrying vessels on that waterway or part; and
 - (ii) if the waterway or part is to a substantial extent used by cruising craft, with the said Council as to the effect of the proposed order on such use as aforesaid;
 - (b) in respect of a cruising waterway or any part thereof, the Minister shall consult with the said Council.

Modifications etc. (not altering text)

C14 Sch. 13 para. 3 modified (1.6.1993) by S.I. 1993/1119, reg. 4(1)(a), **Sch. 1 para. 3(5)** (as amended (2.7.2012) by [The Inland Waterways Advisory Council \(Abolition\) Order 2012 \(S.I. 2012/1658\)](#), arts. 1(b), 5, **Sch.**)

- 4 In the case of a proposed order under section 112 in respect of a canal or part of a canal (within the meaning of that section) which appears to the Minister to be used to a significant extent for the purpose of navigation, the Minister shall consult with any organisation appearing to him to represent persons using it as aforesaid.

Modifications etc. (not altering text)

C15 Sch. 13 para. 4 modified (1.6.1993) by S.I. 1993/1119, reg. 4(1)(a), **Sch. 1 para. 3(6)**

Status: Point in time view as at 01/04/1996.

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Publication of proposed orders and consideration of objections

- 5 (1) In the case of a proposed order under section 104(3), 105(3) or 112 in respect of any waterway the Minister shall—
- (a) publish in the London Gazette (or, if the waterway is situated in Scotland, the Edinburgh Gazette), in a national newspaper and in one or more local newspapers circulating in the area in which the waterway is situated; and
 - (b) cause to be displayed in one or more places adjacent to the waterway, a notice containing a statement—
 - (i) of the general effect of the proposed order; and
 - (ii) that objections to the order can be made to him within such time (not being less than twenty-eight days) and in such manner as is specified in the notice; and shall consider any such objection which is duly made and not withdrawn, and, if he has caused an inquiry to be held in connection with the proposed order, the report of the person holding it.
- (2) The holding of an inquiry shall be obligatory—
- (a) in connection with—
 - (i) a proposed order under section 104(3) removing a waterway from Part I of Schedule 12 to this Act, or removing a waterway from Part II of that Schedule without adding it to Part I thereof;
 - (ii) a proposed order under section 105(3);
 - (ii) a proposed order under section 112,if an objection is duly made to the proposed order (and is not withdrawn) by a local [^{F59}authority or a [^{F60}water authority];][^{F59}authority or the National Rivers Authority]
 - (b) in connection with any such proposed order as aforesaid relating to a waterway which appears to the Minister to have been used to a significant extent for the purpose of navigation at the time when notice of the proposed order was published, if an objection is duly made to the proposed order (and is not withdrawn) by any organisation appearing to him to represent a substantial number of persons using it as aforesaid at that time.
- (3) In this paragraph “waterway” means, in relation to an order under section 104(3) or 105(3), the waterway or part thereof in respect of which the order is to be made and, in relation to an order under section 112, the canal or part thereof (within the meaning of that section) in respect of which the order is to be made.

Textual Amendments

F59 “authority or the National Rivers Authority” substituted (E.W.) for “authority or water authority” by Water Act 1989 (c. 15, SIF 130), s. 190(1), **Sch. 25 para. 38(4)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58)

F60 Words substituted by virtue of Water Act 1973 (c. 37), s. 9(a)

Modifications etc. (not altering text)

C16 Sch. 13 para. 5(1) modified (1.6.1993) by S.I. 1993/1119, reg. 4(1)(a), **Sch. 1 para. 3(7)**

C17 Sch. 13 para. 5(2)(b) modified (1.6.1993) by S.I. 1993/1119, reg. 4(1)(a), **Sch. 1 para. 3(8)**

Status: Point in time view as at 01/04/1996.

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Interpretation

6 In this Schedule “cruising craft” has the meaning assigned by section 105(1)(b) of this Act.

Modifications etc. (not altering text)

C18 Sch. 13 para. 6 modified (1.6.1993) by S.I. 1993/1119, reg. 4(1)(a), **Sch. 1 para. 3(9)**

F61F61 SCHEDULE 14

Textual Amendments

F61 Sch. 14 repealed by Road Traffic Regulations Act 1984 (c. 27, SIF 107:1), s. 144, **Sch. 14**

F61

SCHEDULE 15

F62

Textual Amendments

F62 Sch. 15 repealed by Statute Law (Repeals) Act 1989 (c.43), s. 1(1), **Sch. 1 Part X**

SCHEDULE 16

SUPPLEMENTARY OR CONSEQUENTIAL PROVISIONS

1, 2. F63

Textual Amendments

F63 Sch. 16 paras. 1, 2 repealed by Transport Act 1980 (c. 34, SIF 126), **Sch. 9 Pt. III**

3 F64

Textual Amendments

F64 Sch. 16 para. 3 repealed by Sch. 18 Pt. IV of this Act

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- 4
- (1) The power to make bylaws conferred by [^{F65}subsection 2 of section 67 of the Act of 1962] shall be exercisable by the Scottish Group as well as by the Railways Board, and accordingly, subsections (3) to (12) of that section shall apply as if the expression “Board” included. . . .^{F66} the Scottish Group.
 - (2)^{F67}
 - (3) Any bylaws made by the Railways Board under the said subsection (2) and in force with respect to any harbour immediately before its transfer to the Scottish Group or to a wholly-owned subsidiary of that Group shall continue in force until varied or revoked by the Scottish Group by virtue of the said subsection (12).
 - (4) In relation to the Scottish Group any reference to the Minister in the said section 67 shall be construed as a reference to the Secretary of State.
 - (5) For the purposes of the said section 67, railways, railway premises, or officers and servants of, or ships operated by, a wholly-owned subsidiary of the Railways Board, [^{F68}the London Transport Executive],. . . .^{F66} or the Scottish Group shall be deemed to be railways, railway premises, or officers or servants of, or ships operated by, that Board,. . . .^{F69} or Group.

Textual Amendments

- F65** Words substituted by [Transport Act 1980 \(c. 34\), Sch. 7 para. 5](#)
F66 Words repealed by [Transport Act 1980 \(c. 34, SIF 126\), Sch. 9 Pt. III](#)
F67 Sch. 16 paras. 4(2), 5(1) repealed by [Transport Act 1980 \(c. 34, SIF 126\), Sch. 9 Pt. III](#)
F68 Words substituted by virtue of [Transport \(London\) Act 1969 \(c. 35\), Sch. 3 para. 5\(1\)](#)
F69 Word repealed by [Transport Act 1980 \(c. 34, SIF 126\), Sch. 9 Pt. III](#)

Modifications etc. (not altering text)

- C19** 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)^{F70}
 - (2) The Railways Board may make an agreement with [^{F71}the Scottish Group] for making available to that [^{F71}Group] or to any wholly-owned subsidiary of that [^{F71}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 ^{M10}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 [^{F72}the Scottish Group or, as the case may be, the subsidiary in question] notwithstanding the provisions of section 53(1) of the ^{M11}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 [^{F73}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

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effect as respects any period after the making of the order as if that [^{F73}Group] were one of the Boards.

Textual Amendments

- F70** Sch. 16 paras. 4(2), 5(1) repealed by Transport Act 1980 (c. 34, SIF 126), **Sch. 9 Pt. III**
- F71** Words substituted by Transport Act 1980 (c. 34), **Sch. 7 para. 6(a)**
- F72** Words substituted by Transport Act 1980 (c. 34), **Sch. 7 para. 6(b)**
- F73** Words substituted by Transport Act 1980 (c. 34), **Sch. 7 para. 6(c)**

Modifications etc. (not altering text)

- C20** Para. 5 extended by Transport (London) Act 1969 (c. 35), **Sch. 3 para. 7**

Marginal Citations

- M10** S.I. 1964/1456.
- M11** 1949 c. xxix.

6 ^{F74}

Textual Amendments

- F74** 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,

shall in each case include a reference. . . ^{F75} to any wholly-owned subsidiary. . . ^{F75} 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 ^{M12}Criminal Justice Act 1948;
 - (b) section 22 of the ^{M13}Diseases of Animals Act 1950;
 - (c) section 13(1) of the ^{M14}Transport Charges (Miscellaneous Provisions) Act 1954;
 - (d) ^{F76}
 - (e) ^{F77}
 - (f) ^{F78}
 - (g) ^{F79}

- (3) The provisions referred to in sub-paragraph (1)(b) of this paragraph are—
- (a) sections 54, 55, 56 and 57 of the ^{M15}British Transport Commission Act 1949;
 - (b) section 18 in the Schedule to the ^{M16}British Transport Commission Order Confirmation Act 1953;
 - (c) section 52 of the ^{M17}British Transport Commission Act 1953;
 - (d) section 24 of the ^{M18}British Transport Commission Act 1954.

Status: Point in time view as at 01/04/1996.

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- (4) In section 23 of the ^{M19}British Railways Act 1964 (which provides for the aforesaid section 54 of the ^{M20}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

- F75** Words repealed by Transport Act 1980 (c. 34, SIF 126), **Sch. 9 Pt. III**
- F76** 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**
- F77** 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**
- F78** Para. 7(2)(f) repealed by Highways Act 1980 (c. 66), **Sch. 25**
- F79** Para. 7(2)(g) repealed by Theft Act (Northern Ireland) 1969 (c. 16), **Sch. 3 Pt. II**

Modifications etc. (not altering text)

- C21** Para. 7(1) amended by Transport (London) Act 1969 (c. 35), **Sch. 3 para. 1(1)(2)**

Marginal Citations

- M12** 1948 c. 58.
M13 1950 c. 36.
M14 1954 c. 64.
M15 1949 c. xxix.
M16 1953 c. xx.
M17 1953 c. xlii.
M18 1954 c. lv.
M19 1964 c. xvi.
M20 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)—

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- (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 ^{M21}Docks and Harbours Act 1966 are a subsidiary of one or more of the Docks Board, the Railways Board, the Waterways Board, . . . ^{F80} 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)—
 - (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

F80 Words repealed by [Transport Act 1980 \(c. 34, SIF 126\)](#), [Sch. 9 Pt. III](#)

Modifications etc. (not altering text)

C22 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

M21 [1966 c. 28](#).

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9 In the Building Control Act ^{M22}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)

C23 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

M22 1966 C. 27.

^{F81}10

Textual Amendments

F81 Sch. 16 para. 10 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. IX Group2

11 ^{F82}

Textual Amendments

F82 Sch. 16 para. 11 repealed by British Railways Act 1987 (c.xxix), ss. 45(9), 47, Sch. 2 Pt. 5

12 ^{F83}

Textual Amendments

F83 Sch. 16 para. 12 repealed by Industry Act 1971 (c. 17, SIF 64), s. 3(2)(b), Sch. 2 Pt. II

SCHEDULE 17

Section 164.

APPLICATION TO NORTHERN IRELAND

PART I

Provisions extending to Northern Ireland

Part I.

Status: Point in time view as at 01/04/1996.

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Part II (except sections 10(3), (4), (5) and (9), 13 and 18 to 21).

Sections 24 to 29.

Section 33.

Part IV (except sections 39, ^{F84} . . . 47(1)(a)(ii) and (v), 54 and 56).

Textual Amendments

F84 Word in [Sch. 17 Pt. I](#) repealed (1.4.1994) by [1993 c. 43, ss. 150\(1\)\(o\), 152\(3\), Sch.14](#); [S.I. 1994/571, art. 5](#)

Sections 100 and 101.

Sections 104 to 107 and 110, and so much of section 115 as relates to those sections.

Sections 134, 135, 136, 137, 146, 150, . . . ^{F85}, 160, 161 and 164.

Textual Amendments

F85 Words repealed by [House of Commons Disqualification Act 1975 \(c. 24\), Sch. 3](#) and [Northern Ireland Assembly Disqualification Act 1975 \(c. 25\), Sch. 3 Pt. I](#)

So far as they relate to any provision of this Act which extends to Northern Ireland sections 156 to 159, 163, 165 and 166.

Schedules 1 to 5, 7 and 16.

This Schedule.

In Schedule 18, Part I, . . . ^{F85}

PART II

Modifications

1 In section 10(1)(xxix), the reference to Parliament shall include a reference to the Parliament of Northern Ireland.

^{F86}2

Textual Amendments

F86 [Sch. 17 Pt. II para. 2](#) repealed (N.I.) (1. 4. 1991) by [S.I. 1991/761 \(N.I. 6\) art. 9\(2\), Sch.2](#); [S.R. 1991/116, art.2.](#)

3 In section 135(4)(b), for the reference to a tribunal established under section 12 of the ^{M23}Industrial Training Act 1964 there shall be substituted a reference to a tribunal established under section 13 of the ^{M24}Industrial Training Act (Northern Ireland) 1964.

Status: Point in time view as at 01/04/1996.

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Marginal Citations

M23 1964 c. 16.

M24 1964 c. 18 (N.I.)

4 In section 137(3)(a) and (4), the references to the Secretary of State for Employment and Productivity shall, in relation to agreements affecting persons employed in Northern Ireland by an authority to whom that section applies, include a reference to the Ministry of Health and Social Services for Northern Ireland.

5 In section 160, references to sections 12 and 112 of the ^{M25}Stamp Act 1891, section 12 of the ^{M26}Finance Act 1895 and section 8 of the ^{M27}Finance Act 1899 shall be construed as including references to those sections as they apply in relation to stamp duties chargeable in Northern Ireland; and for the purposes of the application of the said section 160 in relation to those duties, references to the Commissioners of Inland Revenue shall be construed as references to the Ministry of Finance for Northern Ireland.

Marginal Citations

M25 1891 c. 39.

M26 1895 c. 16.

M27 1899 c. 9.

6 In Schedule 4, in paragraph 2(4), the reference to the Secretary of State for Employment and Productivity shall, in relation to agreements affecting persons employed in Northern Ireland, include a reference to the Ministry of Health and Social Services for Northern Ireland.

7 In Schedule 4, in paragraph 3, for the reference to section 64 of the ^{M28}Law of Property Act 1925, there shall be substituted a reference to section 9 of the ^{M29}Conveyancing Act 1881.

Marginal Citations

M28 1925 c. 20.

M29 1881 c. 41.

8 An arbitrator for the purposes of paragraph 13(3) of Schedule 4 shall, where the proceedings are to be held in Northern Ireland, be appointed by the Lord Chief Justice of Northern Ireland.

9 References to enactments or statutory provisions include references to enactments of the Parliament of Northern Ireland and provisions, whether of a general or special nature, contained in, or in any document made or issued under, any Act of the Parliament of Northern Ireland, whether of a general or a special nature.

Status: Point in time view as at 01/04/1996.

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^{F87}SCHEDULE 18

Textual Amendments

F87 Sch. 18 repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. VI**

Status:

Point in time view as at 01/04/1996.

Changes to legislation:

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