



Transport Act 1968

1968 CHAPTER 73

PART II

[^{F1}INTEGRATED TRANSPORT AREAS AND PASSENGER TRANSPORT AREAS]

Designation of [^{F1}Integrated Transport Areas or] Passenger Transport Areas and establishment and functions of Authorities and Executives

16 Publication of annual report by Authority and Executive and prevention of improper conduct of subsidiary activities.

- (1) The Authority for any [^{F1} integrated transport area [^{F2}, combined authority area][^{F3}, combined county authority area] or][^{F4} area designated by an order under section 9(1) of this Act][^{F4} passenger transport area] shall as soon as practicable after the end of each accounting period of the Executive cause to be prepared jointly by the Authority and the Executive, and to be published in such manner [^{F5} as the Minister may direct][^{F5} as the Authority consider appropriate] a report on the exercise and performance by the Authority and the Executive of their respective functions during that period, including in particular any matters which by virtue of paragraph 15 of Part III of Schedule 5 to this Act are required [^{F6} by the order aforesaid][^{F6} by any order made, or having effect as if made, under section 9(3) of this Act] to be dealt with in the report.
- (2) Where the activities of the Executive or any subsidiary of theirs include the carrying on of the business of providing services for the carriage of passengers by road [^{F7} which do not, [^{F8} and if section 19(3)(a) of this Act had not passed would not], require authorisation by a road service licence][^{F7} other than local services], the report under this section for any accounting period shall include a statement of—
 - (a) the amount, as determined by the Executive, of the turnover of the Executive or subsidiary for that period in respect of that business;
 - (b) the extent or approximate extent (expressed in either case in monetary terms) to which, as so determined, the carrying on of that business contributed to, or restricted, the profit or loss of the Executive or subsidiary for that period before taxation;

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- (c) the method by which any determination for the purposes of paragraph (a) or (b) of this subsection was arrived at; ^{F9}and
 - (d) such further information, if any, relating to the carrying on by the Executive or subsidiary of that business as the Minister may from time to time direct.]
- ^{F10}(2A) In its application to ^{F11}each of the authorities within subsection (2B)], ^{F12}subsection (1)] has effect as if—
- (a) the words “jointly by the Authority and the Executive” were omitted;
 - (b) “and the Executive” (in the second place) were omitted; ^{F13}...
 - (c) for “their respective” there were substituted “its”^{F14}; and
 - (d) the words from “including in particular” to the end of the subsection were omitted.]
- ^{F15}(2B) The authorities referred to in subsection (2A) are—
- (a) the West Yorkshire Combined Authority, and
 - (b) the West Midlands Combined Authority.]
- ^{F16}(3) If, where the Executive or any subsidiary of theirs carry on such business as aforesaid, it appears at any time to the Minister that, having regard to all the circumstances appearing to the Minister to be relevant, the charges made for the services aforesaid provided by the Executive or subsidiary are unduly low in comparison with the cost of providing them, the Minister shall, after consultation with the Authority and with the Executive, either—
- (a) direct the Executive to make, or, as the case may be, to ensure that the subsidiary makes, such modifications in their or its method of conducting that business as may be specified in the direction; or
 - (b) direct the Executive to discontinue, or, as the case may be, to ensure that the subsidiary discontinues, that business.
- (4) The Minister may by order provide that subsections (2) and (3) of this section shall apply with or without modifications to any specified business of the Executive or any subsidiary of theirs which appears to the Minister to be of a character only subsidiary or incidental to the discharge of the Executive’s duty under section 9(3) of this Act and to be carried on on a substantial scale as those subsections apply to the business referred to in the said subsection (2).
- (5) The Executive shall secure that no subsidiary of theirs carries on any business with respect to which the Minister has given the Executive a direction under subsection (3) (b) of this section]

Textual Amendments

- F1** Words in s. 16(1) inserted (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 4 para. 8](#); [S.I. 2009/107](#), art. 2(1), [Sch. 1 Pt. 1](#)
- F2** Words in s. 16(1) inserted (1.4.2014) by [The Combined Authorities \(Consequential Amendments\) Order 2014 \(S.I. 2014/866\)](#), art. 1, [Sch. para. 9](#)
- F3** Words in s. 16(1) inserted (E.W.) (26.12.2023) by [Levelling Up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), [Sch. 4 para. 15](#) (with s. 247)
- F4** Words commencing “passenger” substituted (E.W.S.) for words commencing “area designated” by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 57(6), [Sch. 3 para. 12\(a\)\(i\)](#)
- F5** Words “as the Authority consider appropriate” substituted (E.W.S.) for words “as the Minister may direct” by [Local Government Act 1972 \(c. 70, SIF 81:1\)](#), s. 202(2), [Sch. 24 para. 6](#) and [Local Government \(Scotland\) Act 1973 \(c. 65, SIF 81:2\)](#), [Sch. 18 para. 9](#)

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- F6** Words commencing “by any order” substituted (E.W.S.) for words commencing “by the order” by [Transport Act 1985 \(c. 67, SIF 126\), s. 57\(6\), Sch. 3 para. 12\(a\)\(ii\)](#)
- F7** Words substituted (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\), s. 139\(2\), Sch. 7 para. 9](#)
- F8** Words expressed to be repealed (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\), ss. 57\(6\), 139\(3\), Sch. 3 para. 12\(b\), Sch. 8](#)
- F9** Words repealed (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\), Sch. 29](#) and (E.W.) by [Local Government Act 1974 \(c. 7, SIF 81:1\), Sch. 8](#)
- F10** S. 16(2A) inserted (1.4.2014) by [The West Yorkshire Combined Authority Order 2014 \(S.I. 2014/864\), art. 1\(2\), Sch. 2 para. 11](#)
- F11** Words in s. 16(2A) substituted (E.W.) (17.6.2016) by [The West Midlands Combined Authority Order 2016 \(S.I. 2016/653\), art. 1\(2\), Sch. 2 para. 11\(2\)\(a\)](#)
- F12** Words in s. 16(2A) substituted (E.W.) (17.6.2016) by [The West Midlands Combined Authority Order 2016 \(S.I. 2016/653\), art. 1\(2\), Sch. 2 para. 11\(2\)\(b\)](#)
- F13** Word in s. 16(2A)(b) omitted (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by virtue of [Deregulation Act 2015 \(c. 20\), s. 115\(2\)\(e\), Sch. 8 para. 9\(3\)\(b\); S.I. 2015/994, art. 11\(o\)](#)
- F14** S. 16(2A)(d) and word inserted (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\), s. 115\(2\)\(e\), Sch. 8 para. 9\(3\)\(c\); S.I. 2015/994, art. 11\(o\)](#)
- F15** S. 16(2B) inserted (E.W.) (17.6.2016) by [The West Midlands Combined Authority Order 2016 \(S.I. 2016/653\), art. 1\(2\), Sch. 2 para. 11\(3\)](#)
- F16** S. 16(3)–(5) repealed (E.W.) (S.) by [Local Government \(Scotland\) Act 1973 \(c. 65\), Sch. 29](#) and [Local Government Act 1974 \(c. 7\), Sch. 8](#)

Modifications etc. (not altering text)

- C1** S. 16 amended by [Transport Act 1983 \(c. 10, SIF 126\), s. 8\(5\)](#)
- C2** S. 16(2) excluded (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\), s. 60\(6\)](#)

Changes to legislation:

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