

SCHEDULES

SCHEDULE 3

Section 17.

DISPOSAL OF CERTAIN STATUTORY FUNCTIONS OF LONDON BOARD

- 1 (1) The provisions specified in sub-paragraph (2) of this paragraph shall have effect as if for any reference therein to, or falling to be construed as a reference to, the London Board there were substituted a reference to the Executive and as if the expression "the Boards" included the Executive.
- (2) The provisions referred to in sub-paragraph (1) of this paragraph are—
- (a) section 4(2) of the Road Haulage Wages Act 1938 ;
 - (b) sections 52(4) and 83(7) of the Act of 1962 (which exclude the Boards from the definition of independent railway undertakings);
 - (c) section 54(1) of the Act of 1962 (which relates to advance information about railway closures);
 - (d) section 60 of the Act of 1962 (which relates to carriers' licences for vehicles operated by subsidiaries of the Boards);
 - (e) section 82 of the Act of 1962 (which makes modifications of the enactments relating to Wages Councils);
 - (f) section 86 of the Act of 1962 and section 141 of the Act of 1968 (which relate to the application of the Town and Country Planning Acts);
 - (g) Schedule 2 to the Act of 1962 and paragraph 7(1) of Schedule 16 to the Act of 1968 (which relate to the transfer of certain statutory functions);
 - (h) Schedule 6 to the Act of 1962 (which relates to the distribution of the Commission's undertaking) other than paragraph 2(3) thereof ;
 - (i) section 13(3)(c) of the Lee Valley Regional Park Act 1966 (which relates to the provision or operation of passenger transport services by the Regional Park Authority);
 - (j) section 32 of the General Rate Act 1967 and section 162 of the Act of 1968 (which relate to the rating of railway or canal premises);
 - (k) section 3(3) of the London Cab Act 1968 (which relates to restrictions on the parking of cabs);
 - (l) sections 116 to 119 and 120 of the Act of 1968 (which relate to certain bridges);
 - (m) section 125 of the Act of 1968 (which relates to the powers of inspectors of railways);
 - (n) section 144 of the Act of 1968 (which relates to the transfer and disposal of historical records and relics).
- (3) In addition to the application to the Executive by virtue of sub-paragraph (2)(f) of this paragraph of the enactments there mentioned, section 69 of the Town and Country Planning Act 1968 (which relates to the determination of what is operational land for the purposes of the Town and Country Planning Act 1962) shall have effect as if in subsection (2)(b) thereof after the words " the Transport Act 1968", there were inserted the words " or the Transport (London) Act 1969 ".

Status: This is the original version (as it was originally enacted).

- 2 (1) In the case of the provisions specified in sub-paragraph (2) of this paragraph, the functions thereunder of the London Board shall be transferred to the designated company as well as to the Executive ; but those provisions shall not have effect, whether in relation to the Executive or to the designated company, with respect to any area with respect to which they did not have effect before the vesting date.
- (2) The provisions referred to in sub-paragraph (1) of this paragraph are—
- (a) in the London Passenger Transport Act 1934, sections 104 and 109 ;
 - (b) in the London Passenger Transport Act 1937, sections 64 and 68;
 - (c) in the London Passenger Transport Act 1938, section 65 ;
 - (d) in the British Transport Commission Act 1949, section 57 ;
 - (e) in the British Transport Commission Act 1951, section 15.
- (3) The functions of the London Board under section 69 of the said Act of 1937, under section 61 of the said Act of 1938 and under section 25 of the London Transport Act 1969 shall be transferred to the Executive, but those sections shall not have effect with respect to any area outside the London Passenger Transport Area within the meaning of the London Passenger Transport Act 1933.
- 3 In relation to the savings bank established under section 23 of the Metropolitan Railway Act 1873, references in section 65 of the Act of 1962 to the appropriate Board shall be construed as references to the Executive ; and the persons entitled to deposit money in that savings bank shall, in addition to the persons specified in subsection (5) of the said section 65, include—
- (a) persons employed by the Executive or any subsidiary of the Executive;
 - (b) persons who owing to incapacity arising from ill-health or on reaching retirement age have retired from service with the Executive or any subsidiary of the Executive or with the London Board, the Commission, the London Passenger Transport Board or the Metropolitan Railway Company ;
 - (c) the wife, widow (during the period of her widowhood), or children under twenty-one years of age, of such persons as are mentioned in sub-paragraph (a) or (b) of this paragraph ;
 - (d) any group, society or association the members of which consist, or mainly consist, of such persons as are mentioned in sub-paragraphs (a) to (c) of this paragraph or the said subsection (5).
- 4 In its application to the Executive by virtue of section 6(2)(g) of this Act, section 43(1)(b) of the Act of 1962 shall have effect as if any reference therein to a ship or boat included a reference to a hovercraft.
- 5 (1) Section 67 of the Act of 1962 and paragraph 4(5) of Schedule 16 to the Act of 1968 (which relate to the power to make bylaws for railways) shall have effect as if for any reference to the London Board there were substituted a reference to the Executive; and any bylaws made by the London Board under subsection (1) of the said section 67 and in force immediately before the vesting date shall continue in force until varied or revoked by the Executive by virtue of subsection (12) of that section and have effect as aforesaid.
- (2) Subsection (2) of the said section 67 (which empowers the Railways Board to make bylaws in relation to passengers and goods conveyed in or on ships operated by the Board, and as to their embarkation and disembarkation) shall apply to the Executive as if for references therein to that Board there were substituted references to the Executive and as if the expression " ships " included hovercraft.

Status: This is the original version (as it was originally enacted).

- 6 (1) In section 68 of the Act of 1962 (which relates to the custody of lost property), and in any regulations made, or having effect as if made, under section 160(1)(i) of the Act of 1960 (which relates to the like matters), any reference to, or falling to be construed as a reference to, the London Board shall be construed as a reference to the Executive.
- (2) The Executive shall, not later than one year after the vesting date, and after consulting the Bus Company and the designated company, prepare and submit to the Minister a scheme for the allocation of any moneys arising from the sale, or from fees charged on the redelivery, of any property accidentally left before the vesting date on or in any premises or vehicles belonging to the London Board which was taken into the custody of that Board under regulations made, or having effect as if made, under section 106 of the London Passenger Transport Act 1933 ; and the Minister may; approve that scheme with or without modifications, and it shall be the duty of the Executive, the Bus Company and the designated company to give effect to the scheme as so approved.
- 7 (1) Paragraph 5 of Schedule 16 to the Act of 1968 (which relates to transport police) shall apply to the Executive and, for the purposes only of any premises transferred under section 16(2) of this Act, to the Bus Company as it applies to the National Freight Corporation and the Scottish Transport Group.
- (2) For the purpose only of applying section 54 of the British Transport Commission Act 1949 (which relates to powers of search and arrest) to premises transferred as aforesaid, the Bus Company shall be deemed to be one of the Boards ; and in section 23 of the London Transport Act 1964 (under which the said section 54 in its application to the London Board continues in force in relation to the Executive), and in any enactment passed after this Act which provides for the said section 54 to continue in force for a further period in its application to the Executive, any reference to, or falling to be construed as a reference to, the Executive shall be construed as a reference to the Executive, any wholly-owned subsidiary of the Executive and, for the purpose aforesaid but for that purpose only, the Bus Company and any wholly-owned subsidiary of the Bus Company.
- (3) Subject to any agreement made by virtue of sub-paragraph (1) of this paragraph and to any adaptations made under sub-paragraph (4) of the said paragraph 5—
- (a) the functions of the London Board under the scheme set out in the Schedule to the British Transport Police Force Scheme 1963 (Approval) Order 1964 made under section 69 of the Act of 1962 shall be transferred both to the Executive and, for the purposes only of any premises transferred under section 16(2) of this Act, to the Bus Company ; and
- (b) section 70 of the Act of 1962 shall have effect as if the expression " the Boards " included the Executive and, for the purposes aforesaid, the Bus Company and as if premises belonging to, leased to or worked by a wholly-owned subsidiary of the Executive or the Bus Company were premises belonging to, leased to or worked by the Executive or, as the case may be, the Bus Company.
- 8 In section 92 of the Finance Act 1965 (which relates to the making of grants to operators of bus services towards duty charged on bus fuel) for subsection (8) there shall be substituted the following subsection:—
- “(8) In this section—
- " bus service " means a service of stage carriages as defined by section 117 of the Road Traffic Act 1960 ;

Status: This is the original version (as it was originally enacted).

" operator ", in relation to a bus service, means—

- (a) the holder of the road service licence under which the service is provided ; or
 - (b) if the service is provided otherwise than under a road service licence by, or by a subsidiary of—
 - (i) the London Transport Executive ; or
 - (ii) the Executive for a designated area within the meaning of section 9(1) of the Transport Act 1968,
- that Executive or subsidiary ;
- (c) if the service is provided otherwise than under a road service licence by a person—
 - (i) in pursuance of an agreement under section 23(2) of the Transport (London) Act 1969 or under a consent continued in force or granted under Schedule 4 to that Act; or
 - (ii) in pursuance of an agreement under section 19(2) of the Transport Act 1968 or under a consent granted under Schedule 6 to that Act,

that person ;

" road service licence " includes a permit under section 30 of the Transport Act 1968 ;

" subsidiary " has the same meaning as for the purposes of the Transport Act 1968.”.

- 9 (1) The provisions specified in sub-paragraph (2) of this paragraph shall each have effect as if the reference to the London Board were omitted
- (2) The provisions referred to in the foregoing sub-paragraph are—
 - (a) the Schedule to the Building Control Act 1966 (which specifies bodies to be exempted from the requirements of that Act) ;
 - (b) Schedule 2 to the Industrial Development Act 1966 (which specifies bodies not eligible for certain grants) ;
 - (c) Schedule 1 to the Industrial Expansion Act 1968 (which specifies bodies not eligible for financial support under industrial investment schemes).
- 10 In the Dartford Tunnel Act 1967, section 71 shall have effect as if the proviso to subsection (1) and the proviso to subsection (3)(a) (which require the consent of the London Board to certain matters) were omitted.
- 11 In section 12(1) of the Education (Miscellaneous Provisions) Act 1953, in paragraph (a) of the proviso, for any reference to the special area there shall be substituted a reference to Greater London.