



London Regional Transport Act 1984 (repealed)

1984 CHAPTER 32

PART III

MISCELLANEOUS AND GENERAL

Textual Amendments applied to the whole legislation

F1 Act repealed (*prosp.*) by 1999 c. 29, ss. 423, 425(2), Sch. 34 Pt. II (with **Sch. 12 para. 9(1)**)

Consultation with passengers

40 The London Regional Passengers' Committee.

(1) There shall be established in accordance with this section a body to be known as the London Regional Passengers' Committee.

[^{F1}(2) The Committee shall consist of—

- (a) a chairman, appointed by the Secretary of State after consultation with the Rail Regulator; and
- (b) such other members (not exceeding thirty) as the Secretary of State may appoint after consultation with the Rail Regulator and the chairman.]

(3) The Secretary of State may appoint one or more members of the Committee to be deputy chairman or (as the case may be) deputy chairmen of the Committee.

(4) ^{F2} . . . it shall be the duty of the Committee to consider and, where it appears to them to be desirable, make recommendations with respect to any matter affecting the services and facilities provided—

- (a) by London Regional Transport or any subsidiary of theirs; or

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(b) by any other person in pursuance of an agreement entered into by London Regional Transport by virtue of section 3(2) of this Act; ^{F3} . . .

^{F3}(c)

which falls to be considered by the Committee in accordance with subsection (5) below.

(5) A matter falls to be considered by the Committee if—

(a) it has been the subject of representations (other than representations appearing to the Committee to be frivolous) made to the Committee by or on behalf of users of any services or facilities so provided; or

(b) it has been referred to the Committee by the Secretary of State, [^{F4}or by London Regional Transport]; or

(c) it otherwise appears to the Committee to be a matter to which consideration ought to be given;

^{F5} . . .

^{F6}(6)

(7) Copies of the minutes, conclusions and recommendations of the Committee with respect to any matter shall be sent—

(a) in the case of any matter affecting services and facilities provided as mentioned in subsection (4) (a) or (b) above, to London Regional Transport;

^{F7}(b)

(c) in the case of any matter referred to the Committee by the Secretary of State, to the Secretary of State.

(8) Where the Secretary of State receives a recommendation under subsection (7) above he may give to London Regional Transport ^{F8} . . . such directions as he thinks fit with respect to matters dealt with in the recommendation which concern them or a subsidiary of theirs; but before giving any such direction to London Regional Transport the Secretary of State shall consult with London Regional Transport.

(9) On reaching a decision with respect to matters dealt with in any recommendation received by them or him under subsection (7) above, London Regional Transport, ^{F9} . . . or (as the case may be) the Secretary of State shall give notice in writing of that decision to the Passengers’ Committee.

(10) The Committee shall make an annual report to the Secretary of State [^{F10}and the Rail Regulator], and the Secretary of State shall lay to copy of the report before each House of Parliament.

(11) A company which would not otherwise be a subsidiary of London Regional Transport ^{F11} . . . shall not be treated as such for the purposes of this section by virtue of section 62 of this Act.

(12) Schedule 3 to this Act has effect with respect to the Committee.

Textual Amendments

F1 S. 40(2) substituted (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para. 18(2)**; S.I. 1994/571, **art. 5**.

F2 Words in s. 40(4) omitted (1.4.1994) by virtue of 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para. 18(3) (a)**; S.I. 1994/571, **art. 5**.

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- F3** S. 40(4)(c) and the word "or" preceeding it repealed (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1)(3), Sch. 12 para. 18(3)(b), **Sch.14**; S.I. 1994/571, **art. 5**.
- F4** Words in s.40(5)(b) substituted (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para. 18(4)(a)**; S.I. 1994/571, **art. 5**.
- F5** Words in s. 40(5) repealed (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1)(3), Sch. 12 para. 18(4)(b), **Sch.14**; S.I. 1994/571, **art. 5**.
- F6** S. 40(6) repealed (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1)(3), Sch. 12 para. 18(5), **Sch.14**; S.I. 1994/571, **art. 5**.
- F7** S. 40(7)(b) repealed (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1)(3), Sch. 12 para. 18(6), **Sch.14**; S.I. 1994/571, **art. 5**.
- F8** Words in s. 40(8) repealed (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1)(3), Sch. 12 para. 18(7), **Sch.14**; S.I. 1994/571, **art. 5**.
- F9** Words in s. 40(9) repealed (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1)(3), Sch. 12 para. 18(8), **Sch.14**; S.I. 1994/571, **art. 5**.
- F10** Words in 40(10) inserted (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para. 18(9)**; S.I. 1994/571, **art. 5**.
- F11** Words in s. 40(11) repealed (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1)(3), Sch. 12 para. 18(10), **Sch.14**; S.I. 1994/571, **art. 5**.

Modifications etc. (not altering text)

- C1** S. 40 extended by **Transport Act 1985** (c. 67, SIF 126), **s. 123(5)(6)**
- C2** S. 40 extended by **Channel Tunnel Act 1987** (c. 53, SIF 102), **s. 41(1)(b)**
- C3** S. 40(5)–(7)(9) modified by **Channel Tunnel Act 1987** (c. 53, SIF 102), **s. 41(3)(b)**

F12 41

Textual Amendments

- F12** S. 41 repealed (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1)(3), Sch. 12 para. 19, **Sch.14**; S.I. 1994/571, **art. 5**.

VALID FROM 03/07/2000

[^{F13} Railway access contracts

Textual Amendments

- F13** S. 41A and cross-heading inserted (3.7.2000) by 1999 c. 29, **s. 200(3)** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, **Sch. Pt. 3**

F14 41A **Access contracts under the Railways Act 1993.**

- (1) Where it considers that to do so is best calculated to meet any need relating to transport in or around, or to or from, Greater London, London Regional Transport may enter into an access contract to which section 18 of the ^{M1}Railways Act 1993 applies, notwithstanding—

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(a) that such a contract can only be entered into on terms approved (with or without modification) by the Rail Regulator and pursuant to directions given by the Rail Regulator under that section; and

(b) that the terms of the contract may confer on the Rail Regulator powers to determine the manner in which London Regional Transport is to exercise its functions in relation to the contract.

(2) The duties imposed on London Regional Transport by sections 2 and 8 of this Act accordingly also have effect subject, as respects the power conferred by subsection (1) above, to the powers of the Rail Regulator under section 18 of the ^{M2}Railways Act 1993.]

Textual Amendments

F14 S. 41A inserted (3.7.2000) by 1999 c. 29, s. 200(3) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2, Sch. Pt. 3

Marginal Citations

M1 1993 c. 43.
M2 1993 c. 43.

Railway closures in and around Greater London

42 Application of provisions of the 1962 and 1968 Acts relating to railway closures.

- (1) The formers functions of the London Board in relation to railway closures continue to be exercisable by London Regional Transport; and the following provisions of this section have effect for the purpose of—
- (a) extending those functions to any subsidiary of London Regional Transport; and
 - (b) making amendments consequential on the provisions of this Act in the provisions of the 1962 and 1968 Acts relating to such closures.

(2) In section 54(1)

of the 1962 Act (advance information about railway and shipping closures), for the references to the Executive substituted by paragraph 1 of Schedule 3 to the 1969 Act for express references to the London Board there shall be substituted references to the appropriate authority in relation to the services in question.

^{F15}(3)

^{F15}(4)

^{F15}(5)

- (6) For the purposes of this section, the appropriate authority in relation to any railway services is—
- (a) where those services are provided by London Regional Transport, London Regional Transport; and
 - (b) where those services are provided by a subsidiary of London Regional Transport, that subsidiary.

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Textual Amendments

F15 s. 42(3)-(5) repealed (1.4.1994) by 1993 c. 43, s. 152(3), **Sch.14**; S.I. 1994/571, **art. 5**.

Regulation of services by public service vehicles in and around London

43— **F16**
45.

Textual Amendments

F16 Ss. 43–45 repealed by Transport Act 1985 (c. 67, SIF 126), s. 139(3), **Sch. 8**

Transfers to and from the Railways Board, etc.

46 Schemes for transfers between London Regional Transport group and Railways Board group.

- (1) London Regional Transport and the Railways Board, acting jointly, may make schemes for the transfer, between any member of the London Regional Transport group and any member of the Railways Board group, of—
- (a) any specified property, rights or liabilities; or
 - (b) all property, rights and liabilities comprised in a specified part of the transferor's undertaking;

and any such scheme may contain such supplementary, incidental and consequential provisions as may appear to London Regional Transport and the Railways Board to be necessary or expedient.

- (2) A scheme under this section shall not come into force until it has been approved by the Secretary of State or until such date as the Secretary of State may, in giving his approval, specify; and (subject to subsection (3) below) the Secretary of State may approve a scheme either without modifications or with such modifications as, after consultation with London Regional Transport and with the Railways Board, he thinks fit.
- (3) Without prejudice to his powers under section 47 of this Act, the Secretary of State shall not approve a scheme, under this section which makes provision for a transfer of any property, rights or liabilities which it appears to him would materially prejudice the proper discharge by London Regional Transport or the Railways Board of their respective functions.
- (4) On the coming into force of a scheme under this section the property, rights and liabilities in question shall (subject to subsection (6) below) be transferred and vest in accordance with the scheme.
- (5) Subject to any order under section 74 of the 1962 Act (power of Secretary of State to make orders about pensions in the nationalised transport industry) which takes effect on or at any time after the transfer date for the purposes of any transfer under subsection (4) above, any person who, on that date—

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- (a) ceases to be employed by any member of one or other of the London Regional Transport group and the Railways Board group and becomes employed by a member of the other group; or
- (b) is employed by a company which immediately before that date was a subsidiary of London Regional Transport or (as the case may be) of the Railways Board but on that date becomes a subsidiary of the other of those authorities;

shall not in consequence cease to be eligible to participate in any pension scheme in which he was a participant immediately before that transfer date.

- (6) Subject to subsection (7) below, Schedule 4 to the 1968 Act (supplementary provisions as to certain transfers of property, rights and liabilities) shall apply to any transfer under subsection (4) above; and subsection (4) above shall have effect subject to the provisions of that Schedule.
- (7) In Schedule 4 as it applies by virtue of subsection (6) above—
 - (a) any reference to a transfer by or a vesting by virtue of that Act shall be read as a reference to a transfer by or vesting by virtue of the scheme in question; and
 - (b) the reference in paragraph 13(5) to the relevant provisions of that Act shall be read as including a reference to the relevant provisions of this Act.
- (8) In this section and section 47 of this Act, references to the Railways Board group are references to the Railways Board and their subsidiaries.

47 Orders for transfer of functions, etc., within London Regional Transport group and between that group and Railways Board group.

- (1) Subject to the following provisions of this section, the Secretary of State may by order—
 - (a) make provision for the transfer, between any members of the London Regional Transport group, or between any member of that group and any member of the Railways Board group, of any functions of the transferor in connection with the carriage of passengers; and
 - (b) make any such provision with respect to either party to the transfer of functions as is mentioned in section 46(1) of this Act.
- (2) An order under this section may, for the purpose of any transfer of functions made by the order, amend any of the enactments relating to those functions.
- (3) Any such order may contain such supplementary, incidental and consequential provisions as may appear to the Secretary of State to be necessary or expedient.
- (4) The power to make orders under this section shall not be exercisable so as to cause all or substantially all of the functions of the London Regional Transport group to become functions of, or of subsidiaries of, the Railways Board.
- (5) Before making any order under this section the Secretary of State shall consult with—
 - (a) London Regional Transport;
 - (b) the Railways Board;
 - (c) the Passengers' Committee; and
 - (d) such other persons (if any) as the Secretary of State may think fit.

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- (6) In the case of an order under this section making such provision as is mentioned in section 46(1) of this Act, the property, rights and liabilities in question shall, subject to subsection (8) below, be transferred and vest in accordance with the order on such date as may be appointed by the order for that purpose.
- (7) Section 46(5) of this Act shall apply in relation to a transfer under subsection (6) above as it applies in relation to a transfer under subsection (4) of that section.
- (8) Subject to subsection (9) below, Schedule 4 to the 1968 Act shall apply to any transfer under subsection (6) above; and subsection (6) above shall have effect subject to the provisions of that Schedule.
- (9) In Schedule 4 as it applies by virtue of subsection (8) above—
- (a) any reference to a transfer by or a vesting by virtue of that act shall be read as a reference to a transfer by or a vesting by virtue of the order in question; and
 - (b) the reference in paragraph 13(5) to the relevant provisions of that Act shall be read as including a reference to the relevant provisions of this Act.
- (10) No order shall be made under this section unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

Compensation for loss of employment, etc.

48 Compensation for loss of employment, etc.

- (1) The Secretary of State may by regulations provide for the payment, by such persons as may be prescribed by or determined under the regulations, in such cases and to such extent as may be so prescribed or determined, of pensions, allowances or gratuities by way of compensation to or in respect of persons who have suffered loss of employment or loss or diminution of emoluments by reason of—
- (a) the disposal under section 9(1) of this Act of any part of the undertaking of London Regional Transport or of the whole or any part of the undertaking of any of their subsidiaries;
 - (b) any transfer of property, rights or liabilities under section 27, 46 or 47 of this Act; or
 - (c) any preparatory steps taken (after the making of the scheme or order in question) for the purposes of any such transfer which does not in fact take place, or taken for the purposes of any action required by a direction under section 10 of this Act which ceases to be so required before the action is taken.
- (2) Regulations under this section may—
- (a) include provision as to the manner in which and the person to whom any claim for compensation is to be made, and for the determination of all questions arising under the regulations;
 - (b) make different provision as respects different classes of persons and different circumstances and make or authorise the Secretary of State to make exceptions and conditions; and
 - (c) be framed so as to have effect from a date earlier than the making of the regulations;

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but regulations having effect from a date earlier than the date of their making shall not place any individual who is qualified to participate in the benefits for which the regulations provide in a worse position than he would have been in if the regulations had been so framed as to have effect only from the date of their making.

- (3) Regulations under this section may include all or any of the following provisions, namely—
- (a) provision authorising the payment, without probate or other proof of title, of any sum due under the regulations in respect of a person who has died to his personal representatives or such other persons as may be prescribed by the regulations;
 - (b) provision rendering void any assignment of or charge on, or any agreement to assign or charge, any benefit under the regulations, and provision that on the bankruptcy of a person entitled to such a benefit no part of it shall pass to any trustee or other person acting on behalf of the creditors except in accordance with an order made by a court in pursuance of any enactment specified in the regulations; and
 - (c) such incidental, supplementary, consequential and transitional provisions as appear to the Secretary of State to be necessary or expedient.
- (4) Without prejudice to the preceding provisions of this section, regulations under this section may, in relation to any compensation required to be paid under the regulations by any person (“the person primarily liable”), specify persons who are to be liable to contribute towards that person’s liability in accordance with subsections (5) and (6) below (“contributories”).
- (5) Where contributories have been so specified in relation to any compensation, the contributories may arrange to make to the person primarily liable in respect of that compensation payments by way of contribution towards that person’s liability.
- (6) If the person primarily liable in respect of any compensation satisfies the Secretary of State that any contributory has not made proper contribution towards that person’s liability, whether by payment of money or by finding employment for persons to or in respect of whom the compensation has become payable, the Secretary of State may require that contributory to make such payment to the person primarily liable as appears to the Secretary of State to be just.
- (7) Regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Grants by Greater London Council for initial year

49 Grants by Greater London Council for year including appointed day.

- [^{F17}(1) The Greater London Council shall under this section pay to London Regional Transport by way of grant for the initial year (that is to say, the financial year ending on 31st March 1985) the sum of £258,179,588.]
- (5) [^{F18}If any amount payable in respect of the sum mentioned in subsection (1) above is not paid on or before the date on which it is required to be paid], interest on that amount shall be payable to London Regional Transport at the rate for the time being applicable for the purposes of section 12(8) of the ^{M3}General Rate Act 1967 (interest on amounts due under precepts).

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- (6) The Secretary of State may by notice in writing to London Regional Transport make the application by London Regional Transport of any sums received by them by virtue of this section subject to such terms and conditions as the Secretary of State thinks fit.
- (7) Sections 12(2) to (4) and 15(9) and (10) of this Act shall apply in relation to sums so received as they apply in relation to sums received by way of grants under section 12 of this Act (taking the reference in section 12(2) to any such terms and conditions as a reference to any terms and conditions applicable by virtue of subsection (6) above).
- (8) Any reference in—
- (a) Article 1 of the ^{M4}Capital Allowances (Relevant Grants) (No. 2) Order 1969, as it has effect by virtue of paragraph 4 of Schedule 5 to this Act; and
 - (b) section 83(4)(d) of the ^{M5}Capital allowances Act 1968, as substituted by paragraph 4 of Schedule 6 to this Act;
- to a grant made under section 12 of this Act shall be read as including a reference to a grant made under this section.
- (9) As respects the period beginning with the appointed day and ending with 31st March 1985, paragraphs 25B(a) and 29A of Schedule 2 to the ^{M6}London Government Act 1963 shall have effect as if for references to the Executive there were substituted references to London Regional Transport.
- (10) In this section “financial year” means a period of twelve months beginning with 1st April.

Textual Amendments

F17 S. 49(1) substituted for subsections (1)–(4) by [London Regional Transport \(Amendment\) Act 1985 \(c. 10, SIF 126\), s. 1\(1\)](#)

F18 Words substituted by [London Regional Transport \(Amendment\) Act 1985 \(c. 10, SIF 126\), s. 1\(3\)](#)

Marginal Citations

M3 1967 c. 9.

M4 S.I. 1969/1541.

M5 1968 c. 3.

M6 1963 c. 33.

Travel concessions

50 Travel concessions on journeys in and around Greater London.

- (1) Subject to subsection (4) below, any local authority, or any two or more local authorities acting jointly, may enter into arrangements with London Regional Transport under which—
- (a) London Regional Transport grant, or arrange with some other person for that other person to grant, such travel concessions as may be provided for by the arrangements to any persons eligible to receive them in accordance with subsection (7) below; and
 - (b) that local authority (or, as the case may be, those local authorities in such proportions respectively as they may agree among themselves) reimburse the cost incurred in granting those concessions.

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- (2) F19
- (3) Subject to subsection (4) below, any London authority, or any two or more London authorities acting jointly, may make, with any independent transport service operator or with the Railways Board, arrangements under which—
- (a) that operator or (as the case may be) the Board grant such travel concessions as may be provided for by the arrangements to any persons eligible to receive them in accordance with subsection (7) below; and
 - (b) that authority (or, as the case may be, those authorities in such proportions respectively as they may agree among themselves) reimburse the cost incurred in granting those concessions.
- (4) The concessions that may be provided for by any arrangements under subsection (1) or (3) above are concessions on journeys—
- (a) between places in Greater London;
 - (b) between such places and places outside but in the vicinity of Greater London; or
 - (c) between places outside but in the vicinity of Greater London.
- (5) Any arrangements entered into by a local authority under subsection (1) or (3) above may include provision for the performance of functions in connection with the travel concessions in question by the local authority or local authorities concerned.
- (6) F19
- (7) The persons eligible to receive travel concessions under arrangements made under subsection (1) or (3) above are persons mentioned in any of the following paragraphs, or any description of such persons, that is to say—
- [^{F20}(a) persons who have attained pensionable age (within the meaning given by the rules in paragraph 1 Schedule 4 to the Pensions Act 1995);]
 - (b) blind persons, that is to say, persons so blind as to be unable to perform any work for which sight is essential;
 - (c) persons suffering from any disability or injury which, in the opinion of the local authority or any of the local authorities by whom the cost incurred in granting the concessions falls to be reimbursed, seriously impairs their ability to walk.
- (8) In this section—
- (a) “independent transport service operator” means any person operating a public service vehicle undertaking or a tramcar or railway undertaking other than—
 - (i) F21
 - (ii) London Regional Transport, the Railways Board or any subsidiary of either of those authorities; or
 - (iii) any person providing public passenger transport services in pursuance of an agreement entered into by London Regional Transport by virtue of section 3(2) of this Act;
- F21
- (b) “local authority” means the council of a county or district and any London authority;
 - (c) “London authority” means . . . F22, the council of any London borough and the Common Council; and

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- (d) “tramcar” has the same meaning as in the Public Passenger Vehicles Act 1981.
- (9) In this section and sections 51 to 53 of this Act “travel concession” means the reduction or waiver of a fare or charge either absolutely or subject to terms, limitations or conditions.

Textual Amendments

- F19** S. 50(2)(6) repealed by Transport Act 1985 (c. 67, SIF 126), s. 139(3), **Sch. 8**
- F20** S. 50(7)(a) substituted (19.7.1995) by 1995 c. 26, ss. 126, 180(2), **Sch. 4 Pt. III para. 9.**
- F21** Words and s. 50(8)(a)(i) repealed by Transport Act 1985 (c. 67, SIF 126), s. 139(3), **Sch. 8**
- F22** Words repealed by Local Government Act 1985 (c. 51, SIF 81:1), s. 102(2), **Sch. 17**

51 Reserve free travel scheme for London residents.

- (1) If immediately before 1st January in any accounting year of London Regional Transport it appears to London Regional Transport that there are not for the time being in force arrangements under section 50(1) of this Act for travel concessions for London residents which—
- (a) meet the requirements of section 53 of this Act as to scope and uniformity; and
 - (b) will apply throughout the next following accounting year of London Regional Transport;
- the following provisions of this section (referred to below in this section and in section 52 of this Act as the free travel scheme) shall apply to the next following accounting year.
- (2) In any accounting year to which the free travel scheme applies it shall be the duty of London Regional Transport to grant, or (as the case may be) to exercise their control over any subsidiaries of theirs and their powers under Part I of this Act so as to secure that there are granted, the travel concessions for eligible London residents required by this section.
- (3) In this section and sections 52 and 53 of this Act—
- (a) references to eligible London residents are references to persons resident in Greater London who are eligible in accordance with section 50(7) of this Act to receive travel concessions under arrangements under subsection (1) of that section;
 - (b) references to categories of such residents are references to the categories of persons so eligible mentioned in paragraphs (a), (b) and (c) of section 50(7);
 - (c) “travel concession permit” means, in relation to a travel concession under any such arrangements or under this section, a document in any form indicating that the person to whom it is issued is a person entitled in accordance with those arrangements or (as the case may be) under this section to receive the concession in question;
 - (d) “relevant journey” means any journey of a description within section 50(4) (a), (b) or (c) of this Act; and
 - (e) references to any services under the control of London Regional Transport are references to any public passenger transport services provided by London Regional Transport or any subsidiary of theirs or by any other person in pursuance of any agreement entered into by London Regional Transport by virtue of section 3(2) of this Act.

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- (4) The travel concession required by this section in the case of all eligible London residents in the blind persons' category is the waiver, on production of a travel concession permit issued to any such resident under section 52 of this Act, of any fare otherwise payable by the person to whom it was issued for any relevant journey on a service under the control of London Regional Transport.
- (5) The travel concession required by this section in the case of all eligible London residents in any other category is the waiver, on production of such a permit, of any fare otherwise payable by the person to whom it was issued for any such journey beginning—
 - (a) at any time on a Saturday or Sunday or on any day which is a bank holiday in England and Wales under the ^{M7}Banking and Financial Dealings Act 1971; or
 - (b) in the daytime, evening or late-night period on any other day.
- (6) Subject to subsection (7) below, for the purposes of paragraph (b) of subsection (5) above—
 - (a) the daytime period is the period from 9.30 a.m. until 6.30 p.m.;
 - (b) the evening period is the period from 6.30 p.m. until midnight; and
 - (c) the late-night period is the period from midnight until 1.00 a.m.
- (7) The daytime, evening or late-night period for the purposes of subsection (5)(b) above may be altered from time to time by London Regional Transport by notice published in such manner as they think fit, specifying the new period or periods and the effective date of the alteration.
- (8) A notice under subsection (7) above may not specify an effective date for the alteration of a period to which it applies falling earlier than three months after the date of publication of the notice; and before publishing any such notice London Regional Transport shall consult with all London authorities (within the meaning of section 50 of this Act) and with the Passengers' Committee.

Marginal Citations

M7 1971 c. 80.

52 Supplementary provisions with respect to the free travel scheme.

- (1) The following provisions of this section apply for the purposes of the operation of the free travel scheme in relation to any accounting year of London Regional Transport to which the scheme applies (referred to below in this section as the relevant accounting year).
- (2) As soon as the requirements for the application of the free travel scheme to the relevant accounting year are met, London Regional Transport shall notify all London borough councils and the Common council (referred to below in this section as issuing authorities) that the scheme will apply to that accounting year.
- (3) London Regional Transport shall from time to time supply to each issuing authority such travel concession permits as appear to London Regional Transport to be required by that authority for issue to eligible London residents in accordance with the following provisions of this section.

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- (4) Subject to subsection (5) below, an issuing authority shall issue a travel concession permit supplied by London Regional Transport under this section to any eligible London resident who applies for one and is resident in the area of that authority.
- (5) The issue of such a permit by any issuing authority shall be subject to such terms, limitations or conditions as the authority may, with the approval of the Secretary of State, from time to time determine as respects any category of eligible London residents.
- (6) Before 1st February in the accounting year immediately preceding the relevant accounting year London Regional Transport shall give written notification to each issuing authority of the charge to be paid to them under this section by the issuing authority, for each quarter of the relevant accounting year, in respect of a travel concession permit issued under this section to an eligible London resident of each category which is valid on the first day of that quarter.
- (7) The charges payable by issuing authorities under this section—
 - (a) shall be fixed by London Regional Transport with a view to securing that the costs of the operation of the free travel scheme are met from the proceeds of those charges (taking one accounting year to which the scheme applies with another, where the scheme applies to two or more consecutive accounting years); and
 - (b) may differ for different quarters of an accounting year.
- (8) The reference in subsection (7)(a) above to the costs of the operation of the free travel scheme is a reference, in relation to any accounting year of London Regional Transport taken into account in fixing any charges under that subsection, to the aggregate of—
 - (a) the revenue by way of fares which London Regional Transport estimate they and any subsidiaries of theirs have lost or will lose in that year in consequence of the provision of free travel under the scheme; and
 - (b) any other costs which London Regional Transport have incurred or estimate that they will incur in that year in connection with providing or for the purpose of securing the provision of free travel under the scheme (including any payments London Regional Transport have made or propose to make for that purpose to any person with whom they have entered into an agreement by virtue of section 3(2) of this Act).
- (9) Before the end of the first month of each quarter of the relevant accounting year, each issuing authority shall—
 - (a) pay to London Regional Transport, in respect of each travel concession permit issued by that authority and valid on the first day of that quarter, the charge fixed by London Regional Transport under this section for that quarter which is applicable to that permit;
 - (b) provide London Regional Transport with a written statement giving the particulars required by subsection (10) below with respect to the travel concession permits supplied to the authority by London Regional Transport under this section; and
 - (c) if required to do so by London Regional Transport, return to London Regional Transport all such permits which have not been issued by the authority before the beginning of that quarter.
- (10) The particulars required by this subsection in any statement under subsection (9)(b) above with respect to any quarter of the relevant accounting year are—

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- (a) the number of such permits issued to eligible London residents of each category which are valid on the first day of that quarter;
 - (b) the number of such permits so issued (if any) which expired or were surrendered to the authority during the last preceding quarter; and
 - (c) the number of such permits supplied for issue to eligible London residents of each category which have not been issued by the authority before the beginning of the quarter for which the statement is required.
- (11) In the application of section 50(7)(c) of this Act for the purposes of the free travel scheme and this section, the reference to the opinion of the local authority or any of the local authorities there mentioned shall be read, in relation to persons resident in the area of an issuing authority, as a reference to the opinion of that authority.
- (12) The annual report of London Regional Transport under section 34 of this Act with respect to the relevant accounting year shall contain a statement of—
- (a) the manner in which the charges fixed under this section in respect of each quarter of that year were calculated; and
 - (b) the aggregate of the amounts paid to London Regional Transport during that year by the issuing authorities under this section.

53 Requirements as to scope and uniformity of arrangements for travel concessions under section 50(1).

- (1) Arrangements under section 50(1) of this Act for travel concessions for London residents meet the requirements of this section as to scope if they provide for the grant of travel concessions to all eligible London residents on relevant journeys on all services under the control of London Regional Transport (subject to any terms, limitations or conditions with respect to the particular journeys on any such services on which any such concession is available to eligible London residents of any category).

(2) Arrangements under section 50(1)

of this Act for travel concessions for London residents meet the requirements of this section as to uniformity if they—

- (a) make the same provision, for all eligible London residents of the same category, with respect to the benefit of any travel concession granted to those residents under the arrangements and the periods during which it is available;
- (b) make the enjoyment of the benefit of any travel concession granted under the arrangements conditional on the production, by any person seeking to travel under that concession, of a travel concession permit issued to him in accordance with the arrangements; and
- (c) make the same provision with respect to the period of validity of all travel concession permits issued in accordance with the arrangements to eligible London residents of the same category;

whether or not, in any other respects, the arrangements make different provision for different cases to which they apply.

- (3) References in subsection (2) above to the benefit of a travel concession are references to the waiver or reduction of any fare or charge to which the arrangements in question apply, as distinct from any terms, limitations or conditions applicable to that waiver or reduction in accordance with the arrangements.

(4) Where individual arrangements under section 50(1)

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made between a particular local authority or local authorities and London Regional Transport apply to certain eligible London residents only, all arrangements so made shall be considered together for the purpose of determining whether subsections (1) and (2) above are satisfied.

Penalty fares

F23 **54**

Textual Amendments

F23 S. 54 repealed (12.11.1992) by [London Regional Transport \(Penalty Fares\) Act 1992 \(c. xvi\)](#), **s.11**.

F24 **55**

Textual Amendments

F24 S. 55 repealed (12.11.1992) by [London Regional Transport \(Penalty Fares\) Act 1992 \(c. xvi\)](#), **s.11**

F25 **56**

Textual Amendments

F25 S. 56 repealed (12.11.1992) by [London Regional Transport \(Penalty Fares\) Act 1992 \(c. xvi\)](#), **s.11**

F26 **57**

Textual Amendments

F26 S. 57 repealed (12.11.1992) by [London Regional Transport \(Penalty Fares\) Act 1992 \(c. xvi\)](#), **s.11**.

F27 **58**

Textual Amendments

F27 S. 58 repealed (12.11.1992) by [London Regional Transport \(Penalty Fares\) Act 1992 \(c. xvi\)](#), **s.11**

Status: Point in time view as at 01/01/1996. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the London Regional Transport Act 1984 (repealed), Part III. (See end of Document for details)

Miscellaneous

59 Provision of extra transport services and facilities by Railways Board.

The council of a London borough and the Common Council shall each have power to enter into and carry out agreements with

- [^{F28}(a) the Railways Board,
 (b) the Franchising Director, or
 (c) any person who is the holder of a passenger licence, a network licence or a station licence, within the meaning of Part I of the Railways Act 1993,] with respect to the provision or retention and financing of public passenger transport services and facilities which would not be available apart from any such agreement.

Textual Amendments

F28 59(a)-(c) substituted for "the Railways Board" (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para.20**; S.I. 1994/571, **art. 5**.

60 Interim control over organisation and fares of Executive.

- (1) No direction may be given by the Greater London Council to the Executive under section 20(1) of the 1969 Act (power of Council to direct preparation of proposals for transfers of functions, etc.) after the passing of this Act.
- (2) Where before the passing of this Act the Greater London Council have directed the Executive under section 20(1) to give effect to any proposals submitted to that Council in accordance with a previous direction under that provision, subsection (1) above is without prejudice to the duty of the Executive under section 41 of that Act to comply with that direction.
- (3) During the period between the passing of this Act and the appointed day the Executive shall not make any alteration in the general level or structure of the fares to be charged for the time being for the carriage of passengers by the Executive or any subsidiary of theirs, unless their proposals for that alteration have been submitted to and approved by the Secretary of State.

61 Provisions as to approvals, consents and directions.

- (1) Any approval or consent of the secretary of State under any provision of this Act—
 - (a) shall be given in writing;
 - (b) may be given for any case or description of cases specified in the approval or consent, or may be general; and
 - (c) may be given subject to conditions.
- (2) Nothing done by London Regional Transport shall be unlawful on the ground that it was done without the approval or consent of the Secretary of State and that under this Act it required his approval or consent.
- (3) If it appears to the Secretary of State that London Regional Transport propose to do anything, or have done anything, without the approval or consent of the Secretary of State which in his opinion requires his approval or consent under this Act, he may, after

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consultation with London Regional Transport, give to London Regional Transport such directions as appear to him to be appropriate.

- (4) The directions which the Secretary of State may give under subsection (3) above in a case where London Regional Transport have already done anything without the Secretary of State's approval or consent may, in particular, require London Regional Transport to discontinue any activity or to dispose of any assets, and directions may be given to that effect notwithstanding that they make it necessary for London Regional Transport to dispose of assets at a loss or incur liability to other persons.
- (5) Any direction given by the Secretary of State under this Act shall be in writing; and (without prejudice to section 10(4) of this Act) it shall be the duty of London Regional Transport or of any other person to whom the Secretary of State gives a direction under this Act to give effect to any such direction.

62 Joint subsidiaries.

- (1) Subsection (2) below applies to the following authorities, that is to say, London Regional Transport and the Railways Board.
- (2) Where a company of which both those authorities are members would, if those authorities were a single body corporate, be a subsidiary of that body corporate, then, whether or not that company is apart from this subsection a subsidiary of one of those authorities, that company shall be treated for the purposes of this Act (subject to any express provision to the contrary) as a subsidiary of each of those authorities.
- (3) Section 51(5) and (6) of the 1968 Act shall continue to apply to London Regional transport and to have effect accordingly as if London Regional Transport were one of the Boards, but in the application of those provisions in relation to any company in any case where the authorities concerned include London Regional Transport—
 - (a) subject to subsection (4) below, subsection (5) (joint wholly owned subsidiary of two or more authorities to be treated for purposes of 1962 Act and provisions of 1968 Act other than [F29Part VI] as a wholly owned subsidiary of each authority) shall have effect as if the words “wholly owned” (in each place where they occur) were omitted; and
 - (b) subsection (6) (duty of individual authority to control subsidiary superseded by joint duty in case of joint subsidiaries) shall have effect as if the reference to section 25(1) of the 1962 Act included a reference to sections 21 and 33 of this Act.
- (4) Subsection (3)(a) above shall not affect the application of section 51(5) for the purpose of determining whether the company in question is to be treated for the purposes mentioned in section 51(5) as a wholly owned subsidiary of the authority or authorities concerned other than London Regional Transport.

Textual Amendments

F29 Words in s. 62(3)(a) substituted (1.1.1996) by 1995 c. 23, s. 60(1), **Sch. 7 para. 9** (with ss. 54, 55); S.I. 1995/2181, **art. 2**.

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Changes to legislation: There are currently no known outstanding effects for the London Regional Transport Act 1984 (repealed), Part III. (See end of Document for details)

63 Orders and regulations.

Any power to make an order or regulations conferred on the Secretary of State by any provision of this Act shall be exercisable by statutory instrument.

64 Stamp duty.

(1) F30

(7) Stamp duty shall not be chargeable on any instrument which is certified to the Commissioners of Inland Revenue by London Regional Transport as having been made or executed in pursuance of Schedule 4 to the 1968 Act as it applies—

(a) by virtue of section 27 of this Act to a transfer in pursuance of a scheme made under section 4 of this Act or to a transfer made in pursuance of a scheme made under section 9(6) of this Act in compliance with a direction given by the Secretary of State under section 10 of this Act; or

(b) by virtue of section 47 of this Act to a transfer in pursuance of an order made by the Secretary of State under that section;

but no such instrument shall be treated as duly stamped unless it is stamped with the duty to which it would but for this subsection be liable or it has, in accordance with the provisions of section 12 of the ^{M8}Stamp Act 1891, been stamped with a particular stamp denoting that it is not chargeable with any duty or that it is duly stamped.

(8) F30

Textual Amendments

F30 S. 64(1)–(6)(8) repealed by Finance Act 1988 (c. 39, SIF 114), s. 148, Sch. 14 Part XI

Marginal Citations

M8 1891 c. 39.

65 Inquiries by Secretary of State.

(1) The Secretary of State may hold inquiries for the purposes of his powers under this Act as if those purposes were purposes of the ^{M9}Ministry of Transport Act 1919, and section 20 of that Act shall apply accordingly.

Marginal Citations

M9 1919 c. 50.

66 Construction of powers of London Regional Transport.

(1) Each of the powers conferred on London Regional Transport by the provisions of this Act is in addition to, and not in derogation of, any other power conferred on London Regional Transport by this Act or by any other enactment.

(2) It is declared that the provisions of this Act conferring powers on London Regional Transport relate only to the capacity of London Regional Transport as a statutory

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corporation and nothing in those provisions is to be read as authorising the disregard by London Regional Transport of any enactment or rule of law.

67 General provision with respect to former London Board functions.

- (1) Without prejudice to the effect of any other provision of this Act in relation to any functions exercisable before the coming into operation of the 1969 Act by the London Board, the functions transferred to the Executive or (as the case may be) to the designated company (within the meaning of that Act) by or under section 17 of or Schedule 3 to that Act (the London Board's statutory functions) continue to be exercisable (subject to the provisions of this Act) by London Regional Transport or (as the case may be) by that company.
- (2) Without prejudice to subsection (1) above, Schedule 4 to this Act has effect for the purpose of replacing (with certain modifications) the provisions of Schedule 3 to the 1969 Act (so far as not spent, irrelevant to the operations of London Regional Transport or superseded by any other provisions of this Act) with provisions referring to London Regional Transport or (as the case may be) to London Regional Transport and any subsidiary of theirs.
- (3) Schedule 4 to this Act also has effect for the purpose of substituting, for references to the Executive in enactments relating to the functions mentioned in subsection (1) above contained in Acts passed after the passing of the 1969 Act, references to London Regional Transport or (as the case may be) to London Regional Transport and any subsidiary of theirs.

Modifications etc. (not altering text)

- C4 S. 67(1): transfer of certain functions (*prosp.*) by 1999 c. 29, ss. 301(1), 425(2) (with **Sch. 12 para. 9(1)**)

68 Interpretation.

In this Act—

- “the 1962 Act” means the ^{M10}Transport Act 1962;
- “the 1968 Act” means the ^{M11}Transport Act 1968;
- “the 1969 Act” means the ^{M12}Transport (London) Act 1969;
- “accounting year” means, subject to paragraph 1 of Schedule 5 to this Act, a period of twelve months beginning with 1st April;
- “the appointed day” has the meaning given by section 1(4) of this Act;
- “the Boards” (unless the context otherwise requires) means the Boards established under section 1 of the 1962 Act other than the London Board, and references to a Board shall be construed accordingly;
- “the Bus Company” means the National Bus Company established under section 24 of the 1968 Act;
- “charges” includes fares, rates, tolls and dues of every description;
- “the Common Council” means the Common Council of the City of London;
- “the Executive” means the London Transport Executive established under section 4 of the 1969 Act;

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[^{F31}“franchise agreement” has the same meaning as in Part I of the Railways Act 1993;]

[^{F31}“the Franchising Director” means the Director of Passenger Rail Franchising;]

“functions” includes powers, duties and obligations;

“goods” includes animals, parcels and mails;

“Greater London” means the administrative area of Greater London as for the time being constituted;

“hovercraft” has the same meaning as in the ^{M13}Hovercraft Act 1968;

“land” includes buildings and other structures, land covered by water and any interest or right in, over or under land;

“liability” includes an obligation;

“the London Board” means the London Transport Board established under section 1 of the 1962 Act;

..... ^{F32}
“the London Regional Transport group” has the meaning given by section 22(3) of this Act;

“participant”, in relation to a pension scheme, means—

- (a) in relation to a scheme under which benefits are or will be receivable as of right, a person who has pension rights under the scheme (whether he has contributed or not); and
- (b) in relation to a scheme under which benefits are not or will not be receivable as of right, a person who (whether he is referred to in the scheme as a member, contributor or otherwise) has contributed under the scheme and has pension rights under it;

and “participate” and “eligible to participate” shall be construed accordingly;

“Passengers’ Committee” means the body established under section 40 of this Act;

“pension”, in relation to a person, means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions to a pension fund, with or without interest on or any other addition to those contributions, and any sums payable on or in respect of the death of that person;

“pension fund” means a fund established for the purposes of paying pensions;

“pension rights” includes, in relation to any person, all forms of right to or liability for the present or future payment of a pension, and any expectation of the accruer of a pension under any customary practice, and includes a right of allocation in respect of present or future payment of a pension;

“pension scheme” includes any form of arrangement for the payment of pensions, whether subsisting by virtue of an Act of Parliament, trust, contract or otherwise;

“public service vehicle” has the same meaning as in the ^{M14}Public Passenger Vehicles Act 1981;

“the Railways Board” means the British Railways Board established under section 1 of the 1962 Act;

“related company” has the meaning given by section 11(2) of this Act;

..... ^{F32}

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“securities”, in relation to a body corporate, means any shares, stock, debentures, debenture stock and any other security of a like nature of a body corporate;

“statutory provision” means a provision, whether of a general or of a special nature, contained in, or in any document made or issued under, any Act, whether of a general or special nature;

[^{F33}“subsidiary” (subject to section 62 of this Act) has the meaning given by section 736 of the Companies Act 1985;]

“vehicle” includes a hovercraft; and

“wholly owned subsidiary” means a subsidiary all the securities of which are owned by a body of which it is a subsidiary, or by one or more other wholly owned subsidiaries of that body, or partly by that body and partly by any wholly owned subsidiary of that body.

Textual Amendments

F31 Definitions inserted (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para.21**; S.I. 1994/571, **art. 5**.

F32 Definition repealed by Transport Act 1985 (c. 67, SIF 126), s. 139(2)(3), Sch. 7 para. 26, **Sch. 8**

F33 Definition substituted by Companies Act 1989 (c. 40, SIF 27), s. 144(4), **Sch. 18 para. 29**

Marginal Citations

M10 1962 c. 46.

M11 1968 c. 73.

M12 1969 c. 35.

M13 1968 c. 59.

M14 1981 c. 14.

69 Expenses.

There shall be paid out of money provided by Parliament—

- (a) any expenses incurred by the Secretary of State under or in consequence of the provisions of this Act;
- (b) any increase attributable to any of the provisions of this Act in the sums so payable under any other Act.

70 Initial membership of London Regional Transport.

- (1) Subject to the following provisions of this section, the chairman and any other person who is a member of the Executive immediately before the appointed day shall continue in office in accordance with the terms of their appointment (taking references in those terms to the Greater London Council as references to the Secretary of State) and be treated for the purposes of Schedule 1 to this Act as if appointed by the Secretary of State in pursuance of the provisions of that Schedule.
- (2) At any time during the period of three months beginning with the appointed day the Secretary of State may remove any such person from office, without notice and without assigning cause.
- (3) If a person ceases to be a member of London Regional Transport, otherwise than on the expiration of his term of office, at any time within the period mentioned

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in subsection (2) above, London Regional Transport shall pay to that person compensation of such amount, and on such terms, as the Secretary of State may, with the approval of the Treasury, determine.

- (4) The Secretary of State shall remove a member of London Regional Transport from office in pursuance of this section in the manner provided by paragraph 7(4) of Schedule 1 to this Act.

71 Further transitional provisions, savings, amendments and repeals.

- (1) If an order has been made under section 36(1) of this Act specifying a day for the application of sections 37 and 38 of this Act and either—
- (a) the period of eight years mentioned in subsection (5) of section 36 has expired without the order having been confirmed by order made under that subsection; or
 - (b) before the expiry of that period a further order has been made under subsection (1) of that section for the purpose of revoking the order;
- the Secretary of State may by order make such transitional and consequential provision (including provision modifying any enactment contained in this or any other Act) as appears to him to be necessary or desirable in consequence of the expiry of Part II of this Act by virtue of section 39(b) of this Act.
- (2) The transitional provisions and savings in Schedule 5 to this Act shall have effect.
- (3) Subject to those transitional provisions and savings—
- (a) the enactments mentioned in Schedule 6 to this Act shall have effect subject to the amendments specified in that Schedule, being minor amendments and amendments consequential on the provisions of this Act; and
 - (b) the enactments mentioned in Schedule 7 to this Act (which include enactments which were spent or of no practical utility at the passing of this Act) are repealed to the extent specified in the third column of that Schedule.
- (4) For any reference in any statutory provision (other than one specifically amended by any provision of this Act) to the Executive there shall be substituted a reference to London Regional Transport.
- (5) Subsection (4) above—
- (a) applies to any reference, however worded, whether express or implied, and including a reference made by means of a general reference to a class of persons of which the Executive are one, without the Executive themselves being specifically referred to; and
 - (b) is without prejudice to the effect in relation to London Regional Transport of any provision of any agreement or of any provision of any other document (not being a statutory provision) which refers (in whatever words and whether expressly or by implication) to the Executive.
- (6) No statutory provision excluded by section 24(4)
- of the 1962 Act from applying to any of the Boards (statutory provisions relating to accounts, statistics and returns to be kept by railway companies, etc.) shall apply to London Regional Transport or any subsidiary of theirs.
- (7) Any order under subsection (1) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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72 Short title, commencement and extent.

- (1) This Act may be cited as the London Regional Transport Act 1984.
- (2) Subject to the following provisions of this section, this Act shall come into force on the appointed day.
- (3) The following provisions of this Act, that is to say—
 - (a) this section;
 - (b) sections 60, 68, 69 and 71(2) (so far as that subsection relates to the provisions of Schedule 5 mentioned in paragraph (c) below); and
 - (c) in Schedule 5, paragraph 7 and sub-paragraphs (1) to (5), (9) and (10)(a) of paragraph 8;shall come into force on the passing of this Act.
- (4) Without prejudice to section 13 of the ^{M15}Interpretation Act 1978, section 40(1) to (3) and (12) of, Schedule 3 to, this Act shall come into force on the passing of this Act for the purpose of enabling the Passengers' Committee to exercise and perform their functions with full effect as from the appointed day.
- (5) Section 45 of this Act shall come into force at the end of the period of two months beginning with the day on which this Act is passed.
- (6) The repeals made by this Act in Schedule 2 to the ^{M16}London Government Act 1963 (and the related repeal of paragraph 9 of Schedule 13 to the ^{M17}Local Government, Planning and Land Act 1980) shall come into force on 1st April 1985.
- (7) This Act, except—
 - (a) paragraph 8 of Schedule 1; and
 - (b) paragraph 13 of Schedule 3;does not extend to Scotland or to Northern Ireland.

Marginal Citations

M15 1978 c. 30.

M16 1963 c. 33.

M17 1980 c. 65.

Status:

Point in time view as at 01/01/1996. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the London Regional Transport Act 1984 (repealed), Part III.