



London Regional Transport Act 1996

1996 CHAPTER 21

An Act to extend, and facilitate the exercise of, the powers of London Regional Transport to enter into and carry out agreements; and for connected purposes. [17th June 1996]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Extension of general powers

After subsection (2) of section 3 of the London Regional Transport Act 1984 (general powers) there shall be inserted the following subsections—

“(2A) London Regional Transport shall also have power, with the consent of the Secretary of State, to enter into and carry out an agreement with any person for the carrying on by that person (“the contractor”) of any activities which London Regional Transport does not have power to carry on if the agreement includes provision for one or more of the following, namely—

- (a) the carrying on by the contractor of such activities as are mentioned in subsection (2) above;
- (b) the provision by the contractor to London Regional Transport of services ancillary to the provision of public passenger transport services; and
- (c) the use by the contractor of land or other property owned by London Regional Transport, or transferred to the contractor by London Regional Transport for the purposes of the agreement.

(2B) Where an agreement has been entered into under subsection (2) or (2A) above, the powers conferred on London Regional Transport by that subsection include power to enter into and carry out other agreements with other persons for the purpose of—

- (a) fulfilling any condition which must be fulfilled before the agreement can have effect; or
- (b) satisfying any requirement imposed by or under the agreement.”

2 Extension of operating powers

- (1) After sub-paragraph (1) of paragraph 14 of Schedule 2 to the London Regional Transport Act 1984 (operating powers) there shall be inserted the following sub-paragraph—

“(1A) London Regional Transport may acquire land by agreement for the purposes of any agreement entered into by them under section 3(2) or (2A) of this Act.”

- (2) After paragraph 23 of that Schedule there shall be inserted the following paragraph—

“23A Where any activities for which provision is made by an agreement under section 3(2) or (2A) of this Act cease to be carried on by the other party (whether by reason of the expiry or termination of the agreement or otherwise), London Regional Transport may, with the consent of the Secretary of State—

- (a) acquire by agreement any land or other property used for the purpose of carrying on those activities; and
- (b) in the case of an agreement under section 3(2A) of this Act, themselves carry on those activities notwithstanding that they would not otherwise have power to do so.”

- (3) At the end of paragraph 24 of that Schedule there shall be inserted the words “, or to secure the performance of any agreement entered into by them under section 3(2) or (2A) of this Act”.

3 Supplementary transfers of functions

After section 31A of the London Regional Transport Act 1984 there shall be inserted the following section—

“31B Power of Secretary of State to transfer functions

- (1) For the purpose of enabling any person to carry on any activities for which provision is made by an agreement under section 3(2) or (2A) of this Act, the Secretary of State may by order provide for any functions of London Regional Transport under any statutory provisions to be exercisable by that person (whether to the exclusion of or concurrently with London Regional Transport).
- (2) An order under this section may—
- (a) provide for the functions to cease to be so exercisable when the activities cease to be carried on by that person (whether by reason of the expiry or termination of the agreement or otherwise); and
 - (b) make such supplementary, incidental and consequential provision as the Secretary of State considers necessary or expedient.

- (3) This section does not apply to any function of London Regional Transport under this Act or any other statutory provision specifically amended by any provision of this Act.
- (4) Any reference in this section to London Regional Transport includes a reference to any subsidiary of theirs.
- (5) A statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

4 Minor and consequential amendments

- (1) In section 3 of the London Regional Transport Act 1984 (general powers)—
 - (a) in subsections (3) and (4), for the words “subsection (2)” there shall be substituted the words “subsection (2) or (2A)(a)”;
 - (b) in subsections (5) and (6), for the words “subsection (2)” there shall be substituted the words “subsection (2) or (2A)”; and
 - (c) in subsection (8), for the words “subsection (2) or (7)” there shall be substituted the words “subsection (2), (2A) or (7)”.
- (2) In the following provisions, namely—
 - (a) section 11(3)(bb) of the Competition Act 1980;
 - (b) sections 8(a), 30(1)(a), 34(3)(c), 40(4)(b), 50(8)(a) and 51(3)(e) of, and paragraph 5(2)(a) of Schedule 2 to, the London Regional Transport Act 1984;
 - (c) subsections (1)(b), (2)(b), (4)(b), (5) and (7) of section 36 of the Transport Act 1985; and
 - (d) section 3(1)(b) of the London Regional Transport (Penalty Fares) Act 1992, for the words “section 3(2)” there shall be substituted the words “section 3(2) or (2A)(a)”.
- (3) In sections 12(2)(b), 17(4) and 52(8)(b) of the London Regional Transport Act 1984, for the words “section 3(2)” there shall be substituted the words “section 3(2) or (2A)”.
- (4) In Schedule 2 to that Act (operating powers)—
 - (a) in paragraph 14(3), for the words “sub-paragraph (2)” there shall be substituted the words “sub-paragraph (1A) or (2)”; and
 - (b) in paragraphs 15(4) and 16, for the words “paragraph 8(4) or 14(2)” there shall be substituted the words “paragraph 8(4) or 14(1A) or (2)”.

5 Financial provision

There shall be paid out of money provided by Parliament any increase attributable to this Act in the sums so payable under any other Act.

6 Short title, commencement and extent

- (1) This Act may be cited as the London Regional Transport Act 1996.
- (2) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.
- (3) This Act does not extend to Scotland or Northern Ireland.