



# Transport Act 1985

## 1985 CHAPTER 67

### PART IV

#### LOCAL PASSENGER TRANSPORT SERVICES

##### *Miscellaneous and supplementary*

#### **84 Compensation for loss of employment, etc.**

- (1) Regulations may 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 or pension rights by reason of—
- (a) the disposal under section 75(2) of this Act of any interests held by [<sup>F1</sup>an Integrated Transport Authority,] a Passenger Transport Authority or district [<sup>F2</sup>council or, in Scotland, a council (other than the council for Orkney Islands, Shetland Islands or Western Isles)] in a public transport company;
  - (b) the disposal by any such company of the whole or any part of that company's undertaking; or
  - (c) any transfer of property, rights and liabilities under section 59, 61, 68 or 70 of this Act.
- (2) Regulations under this section may—
- (a) include provision as to the manner in which and the persons to whom any claim for compensation is to be made, and for the determination of all questions arising under the regulations;
  - (b) make or authorise the Secretary of State to make exceptions and conditions in relation to any classes of persons or any circumstances to which the regulations apply; and
  - (c) be framed so as to have effect from a date earlier than the making of the regulations;

---

*Changes to legislation: Transport Act 1985, Section 84 is up to date with all changes known to be in force on or before 21 April 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) View outstanding changes*

---

but regulations having effect from a date earlier than 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, in Scotland, confirmation, and without 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 or, in Scotland, assignation of or charge on, or any agreement to assign or charge, any benefit under the regulations, and provision that on the bankruptcy of or, in Scotland, sequestration of the estate of, or granting of a trust deed for creditors by, 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) Subject to subsection (5) below, where regulations under this section have made provision for the payment of pensions, allowances or gratuities as mentioned in subsection (1) above, compensation in respect of any such loss of employment or loss or diminution of emoluments or pension rights as is mentioned in that subsection shall be paid only in accordance with those regulations in any case to which those regulations apply; and accordingly such compensation shall not be paid under any other statutory provision, by virtue of any provision in a contract or otherwise.
- (5) Subsection (4) above shall not prevent any person from making any payment to which a person is entitled by virtue of contractual rights acquired by him before such date as the Secretary of State may by order specify.

#### Textual Amendments

- F1** Words in s. 84(1)(a) inserted (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 4 para. 29](#); [S.I. 2009/107](#), art. 2(1), Sch. 1 Pt. 1
- F2** Words in s. 84(1)(a) substituted (S.) (1.4.1996) by [S.I. 1996/974](#), art. 2(1), [Sch.1 Pt. 1 para. 7\(f\)](#)

#### Modifications etc. (not altering text)

- C1** [Pt. 4](#): functions made exercisable (E.) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), [14\(1\)](#)
- C2** [Ss. 80-87](#): functions transferred (E.) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), [14\(2\)](#) (with [reg. 14\(3\)](#))

**Changes to legislation:**

Transport Act 1985, Section 84 is up to date with all changes known to be in force on or before 21 April 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(2ZA) inserted by [2019 asp 17 s. 37\(2\)\(a\)](#)
- s. 6(7ZA) inserted by [2019 asp 17 s. 37\(2\)\(b\)](#)