Local Government etc. (Scotland) Act 1994

1994 CHAPTER 39

PART I

LOCAL GOVERNMENT REORGANISATION

CHAPTER 6

FUNCTIONS

Public transport

40 Establishment etc. of Strathclyde Passenger Transport Authority.

(1) With effect from 1st April 1996 there shall be a Passenger Transport Authority to be known as the Strathclyde Passenger Transport Authority (in this section referred to as "the Authority") for the Strathclyde Passenger Transport Area for the purposes of Part II of the [M1]Transport Act 1968.

(2) On 1st April 1996 all of the functions, staff, property, rights, liabilities and obligations of Strathclyde Regional Council as Passenger Transport Authority shall be transferred to and vest in the Authority.

(3) Section 9 of this Act shall apply to any person transferred to the Authority under this section as if any reference in that section to a new authority included a reference to the Authority.

(4) The Secretary of State may by order—

(a) designate the passenger transport area of the Authority; and

(b) make provision for the constitution and membership of the Authority in accordance with the provisions of Schedule 5 to this Act.

Changes to legislation: *There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Cross Heading: Public transport. (See end of Document for details)*

(5) Without prejudice to the provisions of the said Schedule 5, an order under subsection (4) above shall include—

(a) such provision with respect to any of the matters referred to in that Schedule; and

(b) such supplementary, incidental and consequential provision,

as the Secretary of State considers necessary or expedient.

(6) Before making an order under subsection (4) above the Secretary of State shall consult such persons or bodies as he thinks fit.

(7) The following provisions of the 1973 Act shall apply, subject to any necessary modifications, with respect to the Authority as they apply with respect to a local authority or, in the case of section 106(2), a body, that is to say—

(a) section 95 (financial administration);

(b) section 96 (accounts and audit);

(c) section 97 (Commission for Local Authority Accounts in Scotland);

(d) section 97A (studies for improving economy etc. in services);

(e) section 97B (furnishing of information and documents to Commission);

(f) section 98 (expenses and accounts of Commission);

(g) section 99 (general duties of auditors);

(h) section 100 (auditor's right of access to documents);

(i) section 101 (right of interested person to inspect and object to accounts: completion of audit);

(j) section 102 (reports to Commission by Controller of Audit);

(k) section 103 (action by Commission on reports by Controller of Audit);

(l) section 104 (action by Secretary of State on recommendation by Commission under section 103(3));

(m) section 105 (regulations as to accounts); and

(n) section 106(2) (accounts of officer to be audited in certain circumstances).

(8) The Secretary of State may by order vary the passenger transport area of the Authority.

(9) An order under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

(10) Schedule 5 to this Act (which makes provision for the constitution, proceedings etc. of the Authority) shall have effect.

Marginal Citations

M1 1968 c. 73.

41 Amendment of section 13 of Transport Act 1968.

For section 13 of the Transport Act 1968 (grants to the Executive) there shall be substituted—

"13 Grants and payments.

(1) Any expenditure of the Strathclyde Passenger Transport Authority shall, in so far as not otherwise met, be met by the local authorities whose areas lie wholly or partly within the area of the Authority in such proportions as the [M2]authorities may agree.

(2) Where—

(a) the authorities mentioned in subsection (1) above cannot reach agreement as to the proportions in which the expenditure of the Authority shall be met by them and the Authority make an application to the Secretary of State for resolution of the matter; or

(b) it appears to the Secretary of State that those authorities are unable to reach such agreement,

the Secretary of State shall determine the proportions in which such expenditure shall be met by those authorities.

(3) The Authority shall have power to make grants to the Executive for any purpose.".

Marginal Citations

M2 1968 c. 73.

Changes to legislation:
There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Cross Heading: Public transport.