Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

SCHEDULES

SCHEDULE 1

Section 2.

ASSEMBLY CONSTITUENCIES AND ORDERS UNDER SECTION 2(4)

Modifications etc. (not altering text)

C1 Sch. 1: Power to transfer or modify functions conferred (30.11.2000 for specified purposes otherwise 30.10.2001) by 2000 c. 41, **s. 18**, 163(2) (with s. 156(6)); S.I. 2001/3526, **art. 2(c)**
Sch. 1: functions transferred (1.4.2002) by S.I. 2001/3962, **art. 3(2)(d)**

PART I

ASSEMBLY CONSTITUENCIES

Changes to Assembly constituencies

[F1 1 (1) This paragraph applies where the Secretary of State makes an order under section 10 of the Local Government and Public Involvement in Health Act 2007 which includes a boundary change (within the meaning of section 8(3) of that Act) affecting a London borough.

(2) Where this paragraph applies, the Local Government Boundary Commission for England must consider whether to conduct a review of Assembly constituencies for the purpose of making recommendations as to—

(a) whether the boundary change referred to in sub-paragraph (1) requires changes to Assembly constituencies in order to comply with the rules set out in paragraph 7 below, and

(b) if so, what those changes should be.]

Textual Amendments

F1 Sch. 1 para. 1 substituted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(3)(b), **Sch. 4 para. 10(2)**; S.I. 2009/3318, art. 4(ff)

Comprehensive review of Assembly constituencies

[F2 2 (1) The Local Government Boundary Commission for England may at any time—

(a) conduct a review of Assembly constituencies, and

(b) make recommendations as to—

(i) the area into which Greater London should be divided to form the Assembly constituencies, and

(ii) the name by which each Assembly constituency should be known.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) No recommendations may be made by the Local Government Boundary Commission for England pursuant to a review under this paragraph unless the recommendations comply with the rules set out in paragraph 7 below.**]**

Textual Amendments

F2 Sch. 1 para. 2 substituted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(3)(b), **Sch. 4 para. 10(3)**; S.I. 2009/3318, art. 4(ff)

Preparation and submission of report

[F3 3 (1) As soon as reasonably practicable after deciding to conduct a review under paragraph 1 or 2, the Local Government Boundary Commission for England must take such steps as it considers sufficient to secure that persons who may be interested in the review are informed of—

(a) the fact that the review is to take place, and

(b) any particular matters to which the review is to relate.

(2) In conducting a review under paragraph 1 or 2 the Local Government Boundary Commission for England must—

(a) prepare and publish draft recommendations,

(b) take such steps as its considers sufficient to secure that persons who may be interested in the recommendations are informed of them and of the period within which representations with respect to them may be made, and

(c) take into consideration any representations made to the Commission within that period.

(3) The Local Government Boundary Commission for England may at any time before publishing draft recommendations under sub-paragraph (2)(a) consult such persons as it considers appropriate.

(4) As soon as practicable after conducting a review under paragraph 1 or 2 the Local Government Boundary Commission for England must—

(a) publish a report stating its recommendations, and

(b) take such steps as it considers sufficient to secure that persons who may be interested in the recommendations are informed of them.

Textual Amendments

F3 Sch. 1 para. 3, 4 substituted for Sch. 1 paras. 3-5 (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(3)(b), **Sch. 4 para. 10(4)**; S.I. 2009/3318, art. 4(ff)

Further report

[F3 4 (1) Where a report under paragraph 3 contains recommendations for changes to any Assembly constituency or the name by which any Assembly constituency is known, an order under section 2(4) may give effect to the recommendations.

(2) An order under section 2(4) may contain incidental, consequential, supplementary or transitional provision, or savings.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) The provision referred to in sub-paragraph (2) may include provision—

(a) applying any instrument made under an enactment, with or without modifications,

(b) extending, excluding or amending any such instrument, or

(c) repealing or revoking any such instrument.

(4) Where the Local Government Boundary Commission for England is satisfied that—

(a) a mistake has occurred in the preparation of an order under section 2(4), and

(b) the mistake is such that it cannot be rectified by a subsequent order under that section by virtue of section 14 of the Interpretation Act 1978 (c. 30) (implied power to amend),

the Commission may by order under section 2(4) make such provision as it thinks necessary or expedient for rectifying the mistake.

(5) In sub-paragraph (4), "mistake", in relation to an order, includes a provision contained in or omitted from the order in reliance on inaccurate or incomplete information supplied by any public body.

(6) A draft of a statutory instrument containing an order under section 2(4) is to be laid before Parliament before the instrument is made.**]**

Payments by Secretary of State to Commission

[F4]6 . . . . . .**]**

Textual Amendments

F4 Sch. 1 para. 6 omitted (1.4.2002) by virtue of S.I. 2001/3962, art. 9, **Sch. 2 para. 14(7)**

The rules about Assembly constituencies

7 (1) The rules referred to in **[**[F5]paragraphs 1(2) and 2(2)**]** above are—

1. There shall be fourteen Assembly constituencies.

2. Each Assembly constituency shall consist of two or more entire London boroughs.

3. A part of the boundary of each London borough contained within an Assembly constituency shall adjoin a part of the boundary of at least one other London borough contained within that constituency.

4. No London borough shall be included in more than one Assembly constituency.

5. The electorate for an Assembly constituency shall be as near the electorate for each other Assembly constituency as is reasonably practicable.

(2) For the purposes of the rules in sub-paragraph (1) above—

(a) any reference to a London borough includes a reference to the City of London, which for this purpose shall be taken to include the Inner Temple and the Middle Temple; and

(b) a part of a boundary which would, except for the river Thames or a tributary of the river Thames, adjoin a part of another boundary is deemed to adjoin that part of that other boundary.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F5 Words in Sch. 1 para. 7 substituted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(3)(b), **Sch. 4 para. 10(5)**; S.I. 2009/3318, art. 4(ff)

[F6]PART II

...

Textual Amendments

F6 Sch. 1 Pt. 2 repealed (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(3)(b), Sch. 4 para. 10(6), **Sch. 7 Pt. 3**; S.I. 2009/3318, art. 4(ff)(hh)

SCHEDULE 2

Section 4.

VOTING AT ELECTIONS

[F7]PART I

ELECTION OF THE MAYOR

. . . . . .

Textual Amendments

F7 Sch. 2 Pt. 1 omitted (26.10.2022) by virtue of Elections Act 2022 (c. 37), **ss. 13(5)**, 67(1); S.I. 2022/1093, **reg. 2** (with reg. 3)

PART II

RETURN OF LONDON MEMBERS

Modifications etc. (not altering text)

C2 Sch. 2 Pt. II applied (14.12.1999) by 1983 c. 2, **s. 203B** (as inserted (14.12.1999) by 1999 c. 29, s. 17, Sch. 3 paras. 1, 39(5) (with **Sch. 12 para. 9(1)**); S.I. 1999/3376, **art. 2**)

Party lists and individual candidates

5 (1) Any registered political party may submit a list of candidates to be London members.

(2) The list is to be submitted to the Greater London returning officer.

(3) The list has effect in relation to—

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) the ordinary election; and
(b) any vacancies among the London members which occur after that election and before the next ordinary election.

(4) The list must not include more than twenty five persons (but may include only one).

(5) The list must not include a person—
(a) who is a candidate to be a constituency member but who is not a candidate of that party;
(b) who is included on any other list submitted for the election of London members; or
(c) who is an individual candidate to be a London member.

(6) A person may not be an individual candidate to be a London member if—
(a) he is included on a list submitted by a registered political party for the election of London members; or
(b) he is a candidate of any registered political party to be the Mayor or a constituency member.

Calculation of the London figure

6 (1) For each registered political party by which a list of candidates has been submitted for the election of London members—
(a) there shall be added together the number of London votes given for the party in the Assembly constituencies; and
(b) the number arrived at under paragraph (a) above shall then be divided by the aggregate of one and the number of candidates of the party returned as constituency members.

(2) For each individual candidate to be a London member there shall be added together the number of London votes given for that candidate in the Assembly constituencies.

(3) The number arrived at—
(a) in the case of a registered political party, under sub-paragraph (1)(b) above, or
(b) in the case of an individual candidate, under sub-paragraph (2) above,

is referred to in this Schedule as "the London figure" for that party or individual candidate.

(4) If a person who is a candidate of a registered political party in an Assembly constituency—
(a) is returned as the Assembly member for the constituency, and
(b) is also returned as the Mayor,

that person counts for the purposes of sub-paragraph (1)(b) above as a candidate of the party returned as a constituency member, notwithstanding that a vacancy arises in the Assembly constituency by virtue of subsection (10) of section 4 of this Act.

No seats for party etc not polling prescribed percentage of total vote

7 (1) If the number arrived at under—
(a) paragraph 6(1)(a) above, in the case of a registered political party, or
(b) paragraph 6(2) above, in the case of an individual candidate,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

is not more than 5 per cent of the total number of London votes polled by all the registered political parties and all the individual candidates at the election, none of the seats for London members shall be allocated to that party or individual candidate.

(2) That party or candidate shall accordingly be left out of account in applying paragraph 8 below.

Return of members

8 (1) The first of the seats for London members shall be allocated to the party or individual candidate with the highest London figure.

(2) The second and subsequent seats for London members shall be allocated to the party or individual candidate with the highest London figure after any recalculation required by sub-paragraph (3) below has been carried out.

(3) This sub-paragraph requires a recalculation under paragraph 6(1)(b) above in relation to a party—

(a) for the first application of sub-paragraph (2) above, if the application of sub-paragraph (1) above resulted in the allocation of a seat to the party, or

(b) for any subsequent application of sub-paragraph (2) above, if the previous application of that sub-paragraph did so;

and a recalculation shall be carried out after adding one to the aggregate mentioned in paragraph 6(1)(b) above.

(4) An individual candidate already returned as the Mayor or as an Assembly member shall be disregarded.

(5) Seats for London members which are allocated to a party shall be filled by the persons on the party's list in the order in which they appear on the list.

(6) Once a party's list has been exhausted (by the return of persons included on it as constituency members or by the previous application of sub-paragraph (1) or (2) above) the party shall be disregarded.

(7) If (on the application of sub-paragraph (1) above or any application of sub-paragraph (2) above) the highest London figure is the London figure of two or more parties or individual candidates, the sub-paragraph shall apply to each of them.

(8) However, where sub-paragraph (7) above would mean that more than the full number of seats for London members was allocated, sub-paragraph (1) or (2) above shall not apply until—

(a) a recalculation has been carried out under paragraph 6(1)(b) above after adding one to the number of votes given for each party with that London figure, and

(b) one has been added to the number of votes given for each individual candidate with that London figure.

(9) If, after that, the highest London figure is still the London figure of two or more parties or individual candidates, the Greater London returning officer shall decide between them by lots.

(10) For the purposes of sub-paragraph (5) above and section 11 of this Act, a person included on a list submitted by a registered political party who is returned as the

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Mayor or as an Assembly member shall be treated as ceasing to be on the list (even if his return is void).

SCHEDULE 3

Section 17.

AMENDMENTS OF THE REPRESENTATION OF THE PEOPLE ACTS

Preliminary

1 The Representation of the [M1]People Act 1983 shall be amended as follows.

Marginal Citations
M1 1983 c. 2.

Polling districts and stations

2 (1) Section 31 shall be amended as follows.

(2) After subsection (1A) there shall be inserted—

"(1B) For any Authority elections, a London borough council or the Common Council may divide their area into polling districts and may alter any polling district.

For the purposes of this subsection the Inner Temple and the Middle Temple shall be treated as forming part of the City."

Returning officers for Greater London and for Assembly constituencies

3 (1) Section 35 shall be amended as follows.

(2) Before subsection (3) there shall be inserted—

"(2A) Subsections (2B) and (2C) below have effect in relation to the Greater London Authority.

(2B) The returning officer at an election of a constituency member of the London Assembly shall be such a person, or a person of such a description, as may be designated by the Secretary of State in an order made by statutory instrument.

(2C) The returning officer—

(a) at any election of the Mayor of London,

(b) at the election of the London members of the London Assembly at an ordinary election, and

(c) for the purposes of section 11 of the 1999 Act (return of London members of the London Assembly otherwise than at an election),

shall be the proper officer of the Greater London Authority."

(3) After subsection (5) there shall be inserted—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

"(6) The council for any London borough shall place the services of its officers at the disposal of any person acting as the returning officer at an Authority election for an electoral area situated wholly or partly in the borough."

Rules for local elections

4 (1) Section 36 shall be amended as follows.

(2) After subsection (2) (which requires rules under the section to apply the parliamentary elections rules with adaptations etc) there shall be inserted—

"(2A) As regards the Greater London Authority—

(a) Authority elections, and

(b) the return of London members of the London Assembly otherwise than at an election,

shall be conducted in accordance with rules made under this subsection by the Secretary of State.

Rules made under this subsection need not comply with the requirements of subsection (2) above.

(2B) As regards lists of candidates submitted under paragraph 5 of Schedule 2 to the 1999 Act (election of London members), the provision that may be made by rules under subsection (2A) above includes provision for or in connection with any of the following—

(a) the inclusion, withdrawal, addition or removal of persons;

(b) cases where a person included in such a list is or becomes, or seeks to become, an individual candidate to be a London member of the London Assembly."

(3) Before subsection (5) there shall be inserted—

"(4B) All expenditure properly incurred by a returning officer in relation to the holding of an Authority election shall, in so far as it does not, in cases where there is a scale fixed for the purposes of this section by the Greater London Authority, exceed that scale, be paid by the Greater London Authority."

(4) After subsection (6) (power of council for local government area to advance sums to returning officer before poll at election) there shall be inserted—

"(6A) Subsection (6) above shall apply in relation to an Authority election as it applies in relation to an election of a councillor for any local government area in England and Wales, but taking the reference to the council of the area as a reference to the Greater London Authority."

Ordinary day of local elections

5 (1) Section 37 shall be amended as follows.

(2) At the beginning there shall be inserted " (1) ".

(3) The subsection (1) so formed shall end with paragraph (b).

(4) At the beginning of the sentence following paragraph (b) there shall be inserted " (3) ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(5) After the subsection (1) formed by sub-paragraphs (2) and (3) above there shall be inserted—

"(2) As respects Authority elections, the power conferred by subsection (1)(b) above shall include power to make an order fixing a day other than the first Thursday in May as the day on which the poll is to be held at an ordinary election other than the first."

Local elections void etc

6 (1) Section 39 shall be amended as follows.

(2) In subsection (1) (returning officer to order election to fill vacancy where poll countermanded or abandoned or vacancies remain unfilled) for "an election of a councillor for a local government area" there shall be substituted " a local government election, other than an election for the return of the London members of the London Assembly, ".

(3) In subsection (2) (election to an office under the 1972 Act not held on the appointed day etc) after "office under the [M2]Local Government Act 1972" there shall be inserted " or the 1999 Act ".

(4) In subsection (6)(a) (which permits an order under the section to make modifications to certain enactments) in sub-paragraph (ii), after "the [M3]Local Government Act 1972" there shall be inserted " or the 1999 Act ".

Marginal Citations

M2 1972 c. 70.

M3 1972 c. 70.

Timing as to local elections

7 (1) Section 40 shall be amended as follows.

(2) In subsection (1) (provision where anything required to be done by certain enactments falls at a weekend etc) after "Representation of the [M4]People Act 1985" there shall be inserted " or section 3 of the 1999 Act ".

(3) In subsection (2) (day to which election is postponed treated as day of election for purposes of certain enactments) after "Local Government Act 1972" there shall be inserted " and (in the case of an Authority election) the 1999 Act ".

Marginal Citations

M4 1985 c. 50.

Further provision as to local election voting

8 (1) Section 46 shall be amended as follows.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) In subsection (1) (which makes provision as to the number of votes which a person may give in a local government election) after paragraph (b) there shall be added—

"but this subsection does not apply in relation to Authority elections (where the votes allowed to be given are as specified in the applicable provisions of section 4, 10 or 16 of the 1999 Act)."

Validity of local expenses, legal costs

9 (1) Section 48 shall be amended as follows.

(2) After subsection (3) (which refers to the council required to pay the expenses properly incurred by a returning officer) there shall be inserted—

"(3A) In the application of subsection (3) above in relation to an Authority election, the Greater London Authority shall be treated as the council which is required to pay the expenses properly incurred by the returning officer."

Voting offences

10 (1) Section 61 shall be amended as follows.

(2) After subsection (2) (person voting as elector otherwise than by proxy) there shall be inserted—

"(2A) In the case of Authority elections, paragraph (a) of subsection (2) above shall not have effect; but a person shall be guilty of an offence under this subsection if he votes as an elector otherwise than by proxy—

(a) more than once at the same election of the Mayor of London;

(b) more than once at the same election of the London members of the London Assembly at an ordinary election;

(c) more than once in the same Assembly constituency at the same election of a constituency member of the London Assembly;

(d) in more than one Assembly constituency at the same ordinary election; or

(e) in any Assembly constituency at an ordinary election, or an election of the Mayor of London held under section 16 of the 1999 Act, when there is in force an appointment of a person to vote as his proxy at the election in some other Assembly constituency."

(3) After subsection (3) (person voting as proxy for the same elector) there shall be inserted—

"(3A) In the case of Authority elections, paragraph (a) of subsection (3) above shall not have effect; but a person shall be guilty of an offence under this subsection if he votes as proxy for the same elector—

(a) more than once at the same election of the Mayor of London;

(b) more than once at the same election of the London members of the London Assembly at an ordinary election;

(c) more than once in the same Assembly constituency at the same election of a constituency member of the London Assembly; or

(d) in more than one Assembly constituency at the same ordinary election."

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Requirement of secrecy

11 (1) Section 66 shall be amended as follows.

(2) After subsection (6) there shall be added—

"(7) In their application in relation to an election of the London members of the London Assembly at an ordinary election, the preceding provisions of this section shall have effect with the insertion, after the words "the candidate for whom", in each place where they occur, of ", or the registered political party towards the return of whose candidates,".

(8) In relation to an election of the London members of the London Assembly at an ordinary election, any reference in this section to the return of a registered political party's candidates is a reference to the return of candidates included in the list of candidates submitted by the registered political party for the purposes of the election."

Election agents

12 (1) Section 67 shall be amended as follows.

(2) After subsection (1) (name and address of candidate's election agent) there shall be inserted—

"(1A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election, the requirements of subsection (1) above in relation to those candidates are that not later than the time there mentioned—

(a) a person shall be named by or on behalf of the party as the election agent of all of those candidates; and

(b) the declaration required by that subsection shall be made by or on behalf of the party."

(3) After subsection (2) (which makes provision for a candidate to name himself as his own election agent) there shall be inserted—

"(2A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election, a candidate included in the list—

(a) must not under subsection (2) above name himself as his own election agent, but

(b) may be named by or on behalf of the party as the election agent of all the candidates included in the list,

and the provisions which have effect by virtue of subsection (2) above in relation to a candidate upon his naming himself as election agent shall also have effect in relation to a candidate upon his being named as election agent by virtue of paragraph (b) above."

(4) At the beginning of subsection (3) (one agent only for each candidate) there shall be inserted " Subject to subsection (3A) below, " and after that subsection there shall be inserted—

"(3A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) the same person must be appointed as election agent for all the candidates included in the list; and

(b) any such appointment may only be revoked by or on behalf of the party and in respect of all the candidates."

(5) After subsection (5) (declaration of person other than the candidate as election agent) there shall be inserted—

"(5A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election, subsection (5) above shall apply in relation to the candidates included in that list as if the reference to a person other than the candidate were a reference to a person other than the candidate whose name appears highest on the list."

(6) In subsection (7) (meaning of "appropriate officer" in Part II)—

(a) after paragraph (a) there shall be inserted—

"(aa) in relation to an Authority election, the returning officer for that election (as determined under subsection (2B) of section 35 or, as the case may be, paragraph (a) or (b) of subsection (2C) of that section);"; and

(b) in paragraph (b), for "a local government election," there shall be substituted " any other local government election, ".

Sub-agents

13 (1) Section 68 (nomination of sub-agent at parliamentary election for a county constituency) shall be amended as follows.

(2) In subsection (1) (appointment of sub-agent for part of constituency)—

(a) after "In the case of" there shall be inserted " (a) ";

(b) after "county constituency" there shall be inserted ", or

(b) an Authority election,"; and

(c) after "part of the constituency" there shall be inserted " or electoral area ".

(3) In subsection (2) (powers, acts and defaults of the sub-agent), after "constituency", in each place where it occurs, there shall be inserted " or electoral area ".

(4) After subsection (4) (vacation or revocation of appointment of sub-agent) there shall be inserted—

"(4A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election—

(a) the election agent for those candidates must, if he appoints a sub-agent for any part of the electoral area in the case of any of those candidates, appoint the same person as sub-agent for that part of the electoral area in the case of all of the candidates; and

(b) any such appointment may only be revoked in respect of all of the candidates."

(5) In subsection (5) (declaration to specify the part of the constituency for which the sub-agent is appointed) after "constituency" there shall be inserted " or electoral area ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(6) The sidenote to the section accordingly becomes "Nomination of sub-agent at parliamentary or Authority elections."

Office of election agent and sub-agent

14 (1) Section 69 (location of office) shall be amended as follows.

(2) In subsection (2)(b) (local government elections) after "adjoins it" there shall be added " , and that of a sub-agent shall be in the area within which he is appointed to act ".

Effect of default in election agent's appointment

15 After section 70 there shall be inserted—

"**70A Application of s.70 in relation to election of London members of the London Assembly.**

(1) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election—
   (a) section 70 shall not apply in relation to those candidates, but
   (b) the following provisions of this section shall have effect in place of that section.

(2) If no person's name and address is given as required by virtue of section 67(1A) as the election agent of all of the candidates included in the list who remain validly nominated at the latest time for delivery of notices of withdrawals—
   (a) the candidate whose name appears highest on the list shall be deemed at that time to have been named on behalf of the party as election agent for all of the candidates; and
   (b) any appointment of another person as election agent for those candidates shall be deemed to have been revoked.

(3) If—
   (a) the person whose name and address have been so given as those of the election agent for the candidates dies, and
   (b) a new appointment is not made on the day of the death or on the following day,

   the candidate whose name appears highest on the list shall be deemed to have been named on behalf of the party as election agent for all of the candidates as from the time of death.

(4) If the appointment of the election agent for the candidates is revoked without a new appointment being made, the candidate whose name appears highest on the list shall be deemed to have been appointed (or re-appointed) election agent.

(5) The deemed appointment of a candidate as election agent may be revoked as if it were an actual appointment.

(6) Where a candidate included in the list is by virtue of this section to be treated as election agent, he shall be deemed to have his office—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) at his address as given in the statement as to persons nominated; or

(b) if that address is outside the permitted area for the office, at the qualifying address of the person (or first person) named in that statement as his proposer.

(7) The appropriate officer, on being satisfied that a candidate is by virtue of this section to be treated as election agent, shall forthwith proceed to publish the like notice as if the name and address of the candidate and the address of his office had been duly given to him under sections 67 and 69."

Election expenses

F8 16 . . . . . .

Textual Amendments

F8 Sch. 3 para. 16 repealed (16.2.2001) by 2000 c. 41, s. 158(2), **Sch. 22** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I**, Annex (subject to transitional provisions in Sch. 1 Pt. II)

Payment of expenses through election agent

17 (1) Section 73 shall be amended as follows.

(2) In subsection (3) (parliamentary election where sub-agents are allowed) after "parliamentary" there shall be inserted " or Authority ".

Candidate's personal expenses and petty expenses

18 (1) Section 74 shall be amended as follows.

(2) In subsection (1) (which authorises a candidate to pay personal expenses, but subject to a limit in the case of a parliamentary election) after "but" there shall be inserted " (a) " and for "and" there shall be substituted—

"(b) the amount which a candidate at an election of the Mayor of London may pay shall not exceed £5,000,

(c) the amount which a candidate at an election of a constituency member of the London Assembly may pay shall not exceed £600, and

(d) the amount which a candidate to be a London member of the London Assembly at an ordinary election may pay shall not exceed £900,

and, where paragraph (a), (b), (c) or (d) above applies, ".

(3) After subsection (1) there shall be inserted—

"(1A) In the application of subsection (1) above in relation to a person who is a candidate in two or more Authority elections those elections shall be treated—

(a) if one of them is an election of the Mayor of London, as if they together constituted a single election falling within paragraph (b) of that subsection, and

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) in any other case, as if they together constituted a single election falling within paragraph (d) of that subsection."

Prohibition of expenses not authorised by election agent

19 (1) Section 75 shall be amended as follows.

(2) In subsection (1) (which prohibits the incurring of certain expenses by any person other than the candidate, his agent or persons authorised in writing by the agent)—

(a) after "promoting or procuring the election of a candidate" there shall be inserted " (or, in the case of an election of the London members of the London Assembly at an ordinary election, a registered political party or candidates of that party) "; and

(b) at the end of paragraph (c) there shall be added "; or

(d) in the case of an election of the London members of the London Assembly at an ordinary election, of otherwise presenting to the electors the candidate's registered political party (if any) or the views of that party or the extent or nature of that party's backing or disparaging any other registered political party"; and

(c) after the words "but paragraph (c)" there shall be inserted " or (d) ".

(3) After subsection (1) there shall be inserted—

"(1A) In the application of subsection (1) above in relation to an election of the London members of the London Assembly at an ordinary election, any reference to the candidate includes a reference to all or any of the candidates of a registered political party."

F9(4) . . . . . .

(5) At the end of the section there shall be added—

"(7) For the purposes of this section, in the case of an election of the London members of the London Assembly at an ordinary election, a candidate's registered political party is the registered political party (if any) which submitted for the purposes of that election a list of candidates on which the candidate in question is included."

Textual Amendments

F9 Sch. 3 para. 19(4) repealed (16.2.2001) by 2000 c. 41, s, 158(2), Sch. 22 (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I**, Annex (subject to transitional provisions in Sch. 1 Pt. II)

Limitation of election expenses

20 (1) Section 76 shall be amended as follows.

(2) After subsection (1) (which limits the expenditure which may be incurred by a candidate or his agent in respect of the conduct or management of the election) there shall be inserted—

"(1A) Where a registered political party submits a list of candidates to be London members of the London Assembly at an ordinary election, subsection (1)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

above shall not have effect in relation to any of those candidates or his election agent; but—

(a) any sums paid or expenses incurred as mentioned in that subsection by any of those candidates or the election agent must not in the aggregate exceed the maximum amount specified in this section; and

(b) a candidate or election agent who knowingly acts in contravention of this subsection shall be guilty of an illegal practice."

(3) In subsection (2)(b) (which specifies the maximum amount for a local government election) after "a local government election" there shall be inserted " other than an Authority election ".

(4) After subsection (2) there shall be inserted—

"(2A) As respects Authority elections, each of the following, that is to say—

(a) the maximum amount for a candidate in an election of the Mayor of London,

(b) the maximum amount for a candidate in an election of a constituency member of the London Assembly,

(c) the maximum amount for an individual candidate in an election of the London members of the London Assembly at an ordinary election,

(d) the maximum amount for the purposes of subsection (1A) above,

shall be such as the Secretary of State may prescribe in an order made by statutory instrument.

(2B) An order under subsection (2A) above shall not be made unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament."

(5) In subsection (5) (maximum amount not to cover personal expenses of candidate at a parliamentary election) after "parliamentary election" there shall be inserted " or an Authority election (including the maximum amount for the purposes of subsection (1A) above) ".

Power to vary provisions concerning election expenses

F10 21 . . . . . .

Textual Amendments

F10 Sch. 3 para. 21 repealed (16.2.2001) by 2000 c. 41, s. 158(2), **Sch. 22** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I**, Annex (subject to transitional provisions in Sch. 1 Pt. II)

Expenses limit for joint candidates at local election

22 (1) Section 77 shall be amended as follows.

(2) In subsection (1) (reduction of maximum amount under section 76 in the case of joint candidates at a local government election) after "local government election" there shall be inserted " other than an Authority election ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Return as to election expenses

23 (1) Section 81 shall be amended as follows.

(2) After subsection (1) (which allows 35 days after the day of the declaration for the making of the return) there shall be inserted—

"(1A) Subsection (1) above—

(a) in its application in relation to an election of the Mayor of London, shall have effect with the substitution for "35 days" of "70 days"; and

(b) in its application in relation to the election of the London members of the London Assembly at an ordinary election, shall have effect with the substitution for "35 days after the day on which the result of the election is declared" of "70 days after the day on which the last of the successful candidates at the election is declared to be returned.""

(3) After subsection (5) there shall be inserted—

"(6) Where a registered political party submits a list of two or more candidates to be London members of the London Assembly at an ordinary election, the preceding provisions of this section shall have effect in relation to those candidates and their election agent with the following modifications.

(7) The return which the election agent is required to deliver under subsection (1) above—

(a) shall be in respect of all those candidates; and

(b) shall be in the form set out for the purpose in rules under section 36(2A) above or to the like effect.

(8) If any payments made by the election agent were in respect of two or more candidates, the return shall deal under a separate heading or subsection with all such payments, and the expenses to which they relate, in respect of those candidates.

(9) The statements which the return is required to contain by virtue of subsection (3) above in respect of the matters there mentioned shall be a separate statement of each such matter as respects each of the candidates in question.

(10) If and to the extent that any such matter is referable to two or more candidates together, the return shall contain a separate statement of that matter as respects those candidates.

(11) Where one of the candidates is the election agent, subsection (4) above shall have effect, as respects that candidate, as it has effect where a candidate is his own election agent."

Declarations as to election expenses

24 (1) Section 82 shall be amended as follows.

(2) In subsection (1) (declaration by agent) for "the form in Schedule 3 to this Act" there shall be substituted " the appropriate form ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) In subsection (2) (declaration by candidate) for "the form in that Schedule" there shall be substituted " the appropriate form ".

(4) After subsection (2) there shall be inserted—

"(2A) For the purposes of subsections (1) and (2) above, "the appropriate form"—

(a) in the case of the election agent for the candidates on a list submitted under paragraph 5 of Schedule 2 to the 1999 Act (election of London members) by a registered political party, is the form set out for the purpose in rules under section 36(2A) above;

(b) in the case of any of the candidates included in such a list, is the form set out for the purpose in those rules; and

(c) in any other case, is the form in Schedule 3 to this Act."

F11(5) . . . . . .

(6) After subsection (5) there shall be inserted—

"(5A) Where one of the candidates included in a list submitted under paragraph 5 of Schedule 2 to the 1999 Act (election of London members) by a registered political party is the election agent for those candidates, the declarations required by subsections (1) and (2) above shall instead be modified as specified in the form set out in the rules under section 36(2A) above."

Textual Amendments

F11 Sch. 3 para. 24(5) repealed (16.2.2001) by 2000 c. 41, s. 158(2), **Sch. 22** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I**, Annex (subject to transitional provisions in Sch. 1 Pt. II)

Penalty for sitting or voting where no return and declarations transmitted

25 (1) Section 85 shall be amended as follows.

(2) After subsection (2) there shall be inserted—

"(2A) As respects Authority elections—

(a) subsections (1) and (2) above shall not apply in relation to a candidate in an election of the Mayor of London (for which separate provision is made by section 85A below);

(b) in the case of any other Authority election, the reference in subsection (2)(a) above to the council for the local government area for which the election was held shall be taken as a reference to the London Assembly; and

(c) in the case of a candidate included in a list submitted under paragraph 5 of Schedule 2 to the 1999 Act (election of London members) by a registered political party, the references in subsection (1) above to the returns and declarations in respect of election expenses shall be taken as references to the declaration as to election expenses by the candidate."

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Disqualification where no return and declarations transmitted after Mayoral election

26 After section 85 there shall be inserted—

"**85A Disqualification where no return and declarations transmitted after election of Mayor of London.**

(1) If, in the case of any candidate at an election of the Mayor of London, the return and declarations as to election expenses are not delivered before the expiry of the time limited for the purpose, the candidate shall, as respects that election, be disqualified from being elected or being the Mayor of London.

(2) Any application under section 86 below by such a candidate for relief in respect of a failure to deliver the return and declarations as to election expenses must be made within the period of 6 weeks following the day on which the time limited for their delivery expires.

(3) A disqualification under subsection (1) above shall not take effect unless or until—

(a) the period specified in subsection (2) above for making an application for relief under section 86 below expires without such an application having been made; or

(b) if such an application is made, the application—

(i) is finally disposed of without relief being granted; or

(ii) is abandoned or fails by reason of non-prosecution."

Publication of time and place for inspection of returns and declarations

27 (1) Section 88 shall be amended as follows.

(2) In the words preceding paragraph (a), after "At a parliamentary election" there shall be inserted " or an Authority election ".

(3) In paragraph (a) (which requires publication of notices in at least two newspapers circulating in the constituency for which the election was held) after "the constituency" there shall be inserted " or electoral area ".

Broadcasting during elections

[F12]28 . . . . . .

Textual Amendments

F12 Sch. 3 para. 28 repealed (16.3.2001) by 2000 c. 41, s. 158(2), **Sch. 22** (with s. 156(6)); S.I. 2001/222, **art. 3**

Schools and rooms for election meetings

29 (1) Section 96 shall be amended as follows.

(2) In subsection (1) (which entitles a candidate to the use of certain premises for holding public meetings in furtherance of his candidature) for "in furtherance of his

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

candidature" there shall be substituted "to promote or procure the giving of votes at that election—

(i) for himself, or

(ii) if he is a candidate included in a list of candidates submitted by a registered political party at an election of the London members of the London Assembly at an ordinary election, towards the return of candidates on that list,".

Bribery

30 (1) Section 113 shall be amended as follows.

(2) In subsection (2) (conduct which constitutes bribery) at the end of paragraph (ii) there shall be added "; and

(iii) references to procuring the return of any person at an election include, in the case of an election of the London members of the London Assembly at an ordinary election, references to procuring the return of candidates on a list of candidates submitted by a registered political party for the purposes of that election".

Election court for local election and place of trial

F13 31 . . . . . .

Textual Amendments

F13 Sch. 3 para. 31 repealed (16.2.2001) by 2000 c. 41, s. 158(2), **Sch. 22** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I**, Annex (subject to transitional provisions in Sch. 1 Pt. II)

Consequences of election etc of London members being declared void.

32 (1) In section 135 (consequences of local election declared void) after subsection (1) (which provides for a new election in certain cases) there shall be inserted—

"(1A) Subsection (1) above shall not apply in the case of an election of the London members of the London Assembly at an ordinary election (for which separate provision is made by section 135A below)."

(2) After section 135 there shall be inserted—

"**135A Consequences of election or return of London members being declared void.**

(1) This section applies where the election court has made a determination under section 145 below at the conclusion of the trial of a petition questioning the election of the London members of the London Assembly at an ordinary election.

(2) Where, pursuant to section 145(6) below, the proper officer of the Greater London Authority receives the copy of the certificate of the election court's determination in relation to the election which was questioned, he shall send notice of the determination to the Greater London returning officer.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) If the election is not declared void but—

(a) the return of a candidate at the election is declared void, and

(b) no other person has been declared returned in his place,

the vacancy shall be filled (or, as the case may be, remain unfilled) as if it were a casual vacancy (see section 11 of the Greater London Authority Act 1999).

(4) If the election is declared void, a new election shall be held in the same manner as at an ordinary election.

(5) The date of the poll at the new election shall be fixed by the Greater London returning officer.

(6) The date fixed shall be no later than three months after the receipt by the Greater London returning officer of the notice under subsection (2) above.

(7) A new election shall not be held if the latest date which may be fixed for the poll falls within the period of three months preceding an ordinary election.

(8) If the determination of the election court is that the election is void, the Greater London returning officer shall inform the returning officer for each Assembly constituency of—

(a) the contents of the notice under subsection (2) above; and

(b) the date fixed for the poll at the new election.

(9) The results of the elections of the constituency members of the London Assembly at the last ordinary election shall have effect for the purposes of ascertaining the results of the new election."

Conclusion of trial of local election petition

33 (1) Section 145 shall be amended as follows.

(2) After subsection (1) (which specifies the questions to be determined by the election court) there shall be inserted—

"(1A) In the application of subsection (1) above in relation to an election of the London members of the London Assembly at an ordinary election, for the words from "shall determine" to "void," there shall be substituted "shall determine whether—

(a) the person or persons whose return is complained of were duly returned,

(b) some other person or persons should have been declared to be returned, or

(c) the election was void, "."

Election court determination in respect of election of Mayor or constituency member

34 After section 145 there shall be inserted—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

"145A Determination in respect of election of Mayor of London or constituency member of London Assembly.

(1) This section applies where the election court makes a determination under section 145 above in respect of—

(a) the election of the Mayor of London, or

(b) the election of a constituency member of the London Assembly,

and the conditions in subsections (2) and (3) below are satisfied.

(2) The first condition is that the determination of the election court is—

(a) that the person whose election is complained of was not duly elected; or

(b) that the election was void.

(3) The second condition is that the return of that person at that election was taken into account for the purpose of deciding which persons were to be returned as London members of the London Assembly.

(4) Where this section applies, the validity of the return of the London members of the London Assembly shall not be affected by—

(a) the determination of the election court; or

(b) in a case falling within subsection (1)(b) above, the subsequent return of a person as the constituency member for the Assembly constituency concerned."

Candidate reported guilty of corrupt or illegal practice

F14 35 . . . . . .

Textual Amendments

F14 Sch. 3 para. 35 repealed (16.2.2001) by 2000 c. 41, s. 158(2), **Sch. 22** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1 Pt. I**, Annex (subject to transitional provisions in Sch. 1 Pt. II)

Avoidance of election for employing corrupt agent

36 (1) Section 165 shall be amended as follows.

(2) After subsection (3) (vote given for person incapable of being elected by reason of employing corrupt agent not to be deemed to be thrown away unless given for same person at a poll consequent on the decision of an election court) there shall be added—

"(4) In the case of an election of the Mayor of London, a vote deemed in accordance with subsection (3) above to be thrown away shall be so deemed only to the extent that it is a vote given so as to indicate that the person who was under the incapacity is the voter's first or second preference from among the candidates."

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

References to elections under the local government Act to include Authority elections

37 After section 189 there shall be inserted—

" The Greater London Authority

189A Extension of references to elections under the local government Act.

For the purposes of—

(a) Part II of this Act,

(b) Part III of this Act, and

(c) section 189 above,

any reference to an election under the local government Act includes a reference to an Authority election."

General provisions as to interpretation

38 (1) Section 202 shall be amended as follows.

(2) In subsection (1)—

(a) in the definition of "election", after "parliamentary election" there shall be inserted " , an Authority election ";

(b) in paragraph (b) of the definition of "election court", after "questioning" there shall be inserted " an Authority election or ";

(c) for the definition of "proper officer" there shall be substituted—

""proper officer"—

(a) in relation to the Greater London Authority, has the same meaning as in the 1999 Act (see section 424(2) of that Act);

(b) except as provided by paragraph (a) above, in England and Wales means a proper officer within the meaning of section 270(3) and (4) of the [M5]Local Government Act 1972;".

(3) In subsection (1), after the definition of "proper officer" there shall be inserted—

" "registered political party" means a party registered under the [M6]Registration of Political Parties Act 1998;".

Marginal Citations

M5 1972 c. 70.

M6 1998 c. 48.

Interpretation: local government provisions

39 (1) Section 203 (local government provisions as to England and Wales) shall be amended as follows.

(2) In subsection (1), the following definitions shall be inserted at the appropriate places—

""the 1999 Act" means the Greater London Authority Act 1999;";

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

""“Assembly constituency” has the same meaning as in the 1999 Act (see section 2(4) and (5) of that Act);”;

""“Authority election” means—

(a) any election of the Mayor of London;

(b) any election of a constituency member of the London Assembly; or

(c) the election of the London members of the London Assembly at an ordinary election;”;

""“constituency member”, in relation to the London Assembly, has the same meaning as in the 1999 Act;”;

""“election of a constituency member of the London Assembly” means—

(a) any such election at an ordinary election; or

(b) an election under section 10 of the 1999 Act (election to fill a vacancy in an Assembly constituency);”;

""“election of the Mayor of London” means—

(a) any such election at an ordinary election; or

(b) an election under section 16 of the 1999 Act (election to fill a vacancy in the office of Mayor of London);”;

""“London member”, in relation to the London Assembly, has the same meaning as in the 1999 Act;”.

(3) In subsection (1), in the definition of “electoral area”, after “means” there shall be inserted “ (a) ” and at the end of the definition there shall be added—

“(b) Greater London, in the case of—

(i) any election of the Mayor of London; or

(ii) the election of the London members of the London Assembly at an ordinary election;

(c) any Assembly constituency for which the election of a constituency member of the London Assembly is held;”.

(4) In subsection (1)—

(a) in the definition of “local authority”, after “means” there shall be inserted “ the Greater London Authority, ”;

(b) in the definition of “local government area”, after “means” there shall be inserted “ Greater London, ”;

(c) in the definition of “local government election”, after “means” there shall be inserted “ (a) ” and at the end of the definition there shall be added “; or

(b) any Authority election”.

(5) After subsection (1) there shall be inserted—

“(1A) In the application of this Act in relation to England and Wales, unless the context otherwise requires, any reference to—

(a) a local government election, or

(b) an election under the local government Act,

shall be taken to include a reference to an Authority election.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(1B) Any reference in this Act to a registered political party submitting a list of candidates to be London members of the London Assembly at an ordinary election shall be construed in accordance with section 4(5)(a) of, and Part II of Schedule 2 to, the 1999 Act; and related expressions shall be construed accordingly."

(6) For subsection (2) (application of Part I in relation to the City and parliamentary elections) there shall be substituted—

"(2) The following provisions of this Act, namely—

(a) Part I, so far as it has effect for the purposes of parliamentary elections, and

(b) Parts I to III, so far as they have effect for the purposes of Authority elections,

shall (subject to any express provision contained in the Part or Parts in question) apply in relation to the City as if the City were a London borough and the Common Council were a London borough council.

For the purposes of this subsection the Inner Temple and the Middle Temple shall be treated as forming part of the City."

[[F15]SCHEDULE 3A

FREE DELIVERY OF ELECTION ADDRESSES AT FIRST ELECTION OF MAYOR

Textual Amendments

F15 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14(4), 17(3), **Sch. 5**

Interpretation

[F16]1 In this Schedule—

"the 1983 Act" means the Representation of the [M7]People Act 1983;

"candidate" means a person who stands nominated as a candidate at the election;

"the election" means the first election of the Mayor;

"election address" shall be construed in accordance with paragraph 2 below;

"election booklet" shall be construed in accordance with paragraph 6 below;

"the GLRO" means the Greater London returning officer;

"print" means print by whatever means (and "printer" shall be construed accordingly);

"the relevant provisions" means the provisions of section 17A(1) of this Act and this Schedule.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F16 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

Marginal Citations

M7 1983 c. 2.

Election addresses

F17 2 For the purposes of the relevant provisions an election address, in relation to a candidate, is a statement prepared by the candidate's election agent which complies with the provisions of paragraphs 3 and 4.

Textual Amendments

F17 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

Contents of election addresses

F18 3 (1) An election address must contain matter relating to the election only.

(2) In particular, an election address must not contain—

(a) any advertising material (other than material promoting the candidate as a candidate at the election);

(b) any other material appearing to be included with a view to commercial gain; or

(c) any material referring to any candidate standing for election to the Assembly.

(3) An election address may include a representation of the registered emblem, or (as the case may be) one of the registered emblems, of a registered political party if the address is prepared on behalf of an authorised party candidate.

(4) In sub-paragraph (3) above "authorised party candidate", in relation to a registered political party, means a candidate who has been authorised to use the emblem in question by a certificate—

(a) issued by or on behalf of the registered nominating officer of the party, and

(b) received by the GLRO before the last time for the delivery of nomination papers for the election.

(5) An election address must—

(a) contain a statement to the effect that it has been prepared by the candidate's election agent; and

(b) give the name and address of the election agent.

Textual Amendments

F18 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Form of election addresses

F19 4 (1) Subject to any requirements imposed by or under this paragraph, the format of a candidate's election address may be determined by the candidate (and, in particular, may consist of a combination of words, pictures and artwork).

(2) An election address must be printed on not more than two sides of A5 paper; but if such an address is printed on two sides of such paper—

(a) it must, when submitted to the GLRO for inclusion in the election booklet, be accompanied by a second version printed on a single side of such paper; and

(b) if the total number of candidates from whom election addresses have been accepted by the GLRO by the last time for the delivery of nomination papers for the election exceeds 15, the version to be included in the election booklet shall be the second version.

(3) An election address must—

(a) comply with such requirements as to typographical layout, margins and the use of colour as the GLRO may determine; and

(b) comply with such other requirements as he may determine with a view to facilitating its reproduction as a page or pages of the election booklet.

(4) An election address must, when submitted to the GLRO for inclusion in the election booklet, be accompanied—

(a) where the address is to contain a photograph of the candidate, by two identical copies of the photograph, of which one is signed on the back by the candidate; and

(b) in any case, by such copies of anything contained in the address as the GLRO may reasonably require in connection with the reproduction of the address.

Textual Amendments

F19 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

Approval of election addresses by Post Office

F20 5 (1) Before an election address is submitted to the GLRO for inclusion in the election booklet a draft of the address must have been—

(a) submitted by the candidate to the Post Office, and

(b) approved by the Post Office as complying with the relevant Post Office regulations.

(2) In sub-paragraph (1)(b) above "the relevant Post Office regulations" means the provisions of the Post Office regulations under section 91 of the 1983 Act as to the contents of election communications, other than the provisions of those regulations—

(a) authorising the sending of different material to different groups, or

(b) requiring the name of the printer and publisher to appear on election literature.

(3) Without prejudice to the operation of sub-paragraph (1)(b) above, the Post Office shall not approve an election address if, in their opinion, the address does not comply with the provisions of paragraph 3(1) and (2) above.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F20 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

The election booklet

F21 6 (1) For the purposes of this Schedule the election booklet is a document prepared by the GLRO which contains the election addresses of all candidates who—

(a) desire their election addresses to be included in the booklet, and

(b) have submitted—

(i) those addresses, and

(ii) any additional material required under paragraph 4(4) above,

to the GLRO by such date as he may determine.

(2) If—

(a) it appears to the GLRO that any of the requirements of paragraphs 3(3) to (5), 4 and 5(1) above has not been complied with in relation to an election address, or

(b) a candidate fails to make the payment required by paragraph 9 below in respect of an election address,

the GLRO shall decline to include the address in the election booklet.

Textual Amendments

F21 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

Form of election booklet

F22 7 (1) The order in which candidates' election addresses appear in the election booklet shall be determined alphabetically by reference to the candidates' surnames.

(2) The election booklet may include, in addition to candidates' election addresses, a statement by the GLRO—

(a) explaining the nature and purpose of the election booklet;

(b) listing, in alphabetical order, the names of all the candidates at the election (whether or not their election addresses are included in the booklet); and

(c) giving the date of the election and such other information about it as the GLRO may determine.

(3) The election booklet must—

(a) contain a statement that it has been published by the GLRO; and

(b) give the name and address of the GLRO and those of the printer of the booklet.

(4) Subject to sub-paragraphs (1) to (3) above, the form of the election booklet shall be determined by the GLRO.

(5) The election agent of each candidate whose election address has been accepted by the GLRO for inclusion in the booklet shall be given an opportunity to attend at a

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

time and place notified to him by the GLRO in order to check, and submit to the GLRO typographical corrections to, the proof of the candidate's address.

(6) If the election agent of any such candidate fails to avail himself of that opportunity, the GLRO may—

(a) make such typographical corrections to the proof as appear to him to be appropriate; and

(b) proceed with the printing and distribution of the election booklet without further reference to the candidate or his election agent (and without incurring any liability for any errors in the candidate's address).

(7) No person other than—

(a) the candidate by whom or on whose behalf an election address included in the election booklet was prepared, or

(b) the candidate's election agent,

shall incur any civil or criminal liability in respect of the publication of that address in the election booklet or its dissemination in accordance with paragraph 8 below.

Textual Amendments

F22 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

Distribution of election booklet

F23 8 (1) Copies of the election booklet shall be delivered by the GLRO to the Post Office, in envelopes addressed to individual electors falling within section 17A(1)(b) of this Act, at such time as the GLRO may determine.

(2) The GLRO may disseminate the contents of the election booklet by such other means as he may determine.

Textual Amendments

F23 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

Contributions by candidates towards costs of printing

F24 9 (1) Each candidate by whom an election address is submitted to the GLRO for inclusion in the election booklet shall pay the sum of £10,000 to the GLRO as a contribution towards the expenses incurred by him in respect of the printing of the election booklet.

(2) The payment required by sub-paragraph (1) above shall be made at such time, and in such manner, as the GLRO may determine.

(3) A candidate shall be entitled to a full refund of any such payment if, but only if, the candidate has given notice of withdrawal of his candidature before the last time for the withdrawal of candidates.

(4) If the total amount of the payments made by candidates under this paragraph exceeds the total amount of the expenses incurred by the GLRO in respect of the printing of the election booklet, the GLRO shall—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) divide the amount of the excess between the candidates in equal shares, and
(b) send to each candidate a payment in respect of his share.

Textual Amendments
F24 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

Payments by Secretary of State

F25 10 Except so far as they are met by payments under paragraph 9 above, the expenses incurred by the GLRO in consequence of the relevant provisions shall be met by the Secretary of State.

Textual Amendments
F25 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss, 14, 17(3), Sch. 5

Candidates' election expenses

F26 11 (1) The amount of any payment made by a candidate under paragraph 9 above (or, if sub-paragraph (4) of that paragraph applies, the net amount of any such payment after deducting the payment under that sub-paragraph) shall be taken, for the purposes of Part II of the 1983 Act (the election campaign), to be an amount of election expenses incurred by the candidate in relation to the election.

(2) Nothing in section 75(1) of the 1983 Act (restriction on third party election expenditure) shall be taken to apply, in relation to any candidate, to any expenses incurred by the GLRO in consequence of the relevant provisions.**]**

Textual Amendments
F26 Sch. 3A inserted (9.3.2000) by 2000 c. 2, ss. 14, 17(3), **Sch. 5**

SCHEDULE 4

Section 37.

EXERCISE OF FUNCTIONS DURING VACANCY OR TEMPORARY INCAPACITY OF MAYOR

PART I

INTERPRETATION

1 Any reference in this Schedule to a period when the Mayor is temporarily unable to act is a reference to a period when—
(a) there is no vacancy in the office of Mayor; but
(b) the Mayor is unable to act in his office by reason of illness, imprisonment or absence abroad or for any other reason;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

and references to the Mayor being temporarily unable to act shall be construed accordingly.

PART II

VACANCIES IN THE OFFICE OF MAYOR

Notice of vacancy in office of Mayor

2 (1) If a casual vacancy occurs in the office of Mayor, the proper officer of the Authority shall give notice of the vacancy—

(a) to the Deputy Mayor, if there is a holder of that office; or

(b) in any other case, to the Chair of the Assembly.

(2) Any notice under sub-paragraph (1) above shall be given as soon as practicable after the date on which the vacancy is to be regarded by virtue of section 15(1) of this Act as occurring.

Provision for acting Mayor during vacancy

3 During any vacancy in the office of Mayor there shall be an acting Mayor of London (in this Act referred to as the "acting Mayor").

Filling the office of acting Mayor

4 (1) If a person holds the office of Deputy Mayor on the date on which a vacancy in the office of Mayor occurs, that person shall be the acting Mayor unless, within the permitted period—

(a) he gives notice to the proper officer of the Authority that he does not wish to be the acting Mayor; or

(b) he does not give a notice under paragraph (a) above and does not deliver a declaration under paragraph 8(1) below.

(2) If a person becomes the acting Mayor by virtue of being the Deputy Mayor—

(a) he shall cease to be the Deputy Mayor; and

(b) he shall not be the Deputy Mayor, the Chair of the Assembly or the Deputy Chair of the Assembly at any time while he is the acting Mayor.

(3) If, by virtue of sub-paragraph (1) above, the person who is the Deputy Mayor does not become the acting Mayor, the proper officer of the Authority shall give notice of that fact to the Chair of the Assembly as soon as practicable after—

(a) receipt of any notice under sub-paragraph (1)(a) above; or

(b) if no such notice is given, the last day of the permitted period.

(4) Where notice is given to the Chair of the Assembly—

(a) under paragraph 2(1)(b) above, or

(b) under sub-paragraph (3) above,

the person who is the Chair of the Assembly shall be the acting Mayor.

(5) If a person becomes acting Mayor by virtue of being the Chair of the Assembly—

(a) he shall cease to be the Chair of the Assembly; and

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) he shall not be the Deputy Mayor, the Chair of the Assembly or the Deputy Chair of the Assembly at any time while he is the acting Mayor.

(6) In this paragraph "the permitted period" means the period of seven days following the day on which notice under paragraph 2(1)(a) above is given to the Deputy Mayor.

Acting Mayor to be treated as Mayor during vacancy

5 (1) If and so long as there is an acting Mayor—

(a) any functions exercisable by the Mayor shall be exercisable instead by the acting Mayor; and

(b) any functions exercisable by the Mayor and the Assembly acting jointly shall be exercisable instead by the acting Mayor and the Assembly acting jointly;

and, for the period of the vacancy, the acting Mayor shall accordingly be treated as if he were the Mayor.

(2) Sub-paragraph (1) above is subject to the following provisions of this Part of this Schedule.

Functions which are not to be exercisable by acting Mayor

6 (1) Paragraph 5(1)(a) above does not apply in relation to—

(a) any function exercisable under Schedule 6 or 7 to this Act;

(b) any functions in relation to the preparation, alteration or replacement of any strategies under this Act; or

(c) any function of making an appointment mentioned in sub-paragraph (2) below.

(2) The appointments mentioned in sub-paragraph (1)(c) above are—

(a) any appointment of a member of any of the functional bodies;

(b) any appointment of a member of any other body corporate under or by virtue of this Act;

(c) any appointment under subsection (1) of section 67 of this Act.

Acting Mayor not to act as Assembly member except in relation to budget

7 (1) While a person is the acting Mayor, he shall not act as an Assembly member except in relation to the functions of the Assembly under Schedule 6 or 7 to this Act.

(2) Any period during which sub-paragraph (1) above has effect in relation to a person shall be left out of account in applying section 6 of this Act in relation to that person.

Declaration of acceptance by Deputy Mayor

8 (1) A person shall not, by virtue of being Deputy Mayor,—

(a) become the acting Mayor, or

(b) exercise any functions by virtue of paragraph 5 above,

unless and until he has made, and delivered to the proper officer of the Authority within the permitted period, a declaration of acceptance in a form prescribed in an order made by the Secretary of State.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) In sub-paragraph (1) above, "permitted period" has the same meaning as in paragraph 4 above.

(3) Subsections (3) and (4) of section 28 of this Act shall apply to a declaration under sub-paragraph (1) above as they apply to a declaration under that section.

Commencement Information

I1 Sch. 4 para. 8 wholly in force at 8.5.2000; Sch. 4 para. 8 in force at Royal Assent for certain purposes see s.425(2); Sch. 4 para. 8 in force (8.5.2000) in so far as not already in force by S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**

Consequences of making the declaration

[F27]9 . . . . . .

Textual Amendments

F27 Sch. 4 para. 9 omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 59(a)**; S.I. 2011/3019, art. 3, Sch. 1

Declaration of acceptance by Chair of Assembly

10 A person who becomes acting Mayor by virtue of being the Chair of the Assembly shall not act in the office of acting Mayor unless or until he has satisfied in respect of his office as an Assembly member the requirements of section 28(1) above.

Setting the budget during a vacancy

11 If, at any time when proceedings under Schedule 6 or 7 to this Act are taking place in respect of any year, there is a vacancy in the office of Mayor, those and any subsequent proceedings under the Schedule in question in respect of that year shall proceed as if the Mayor had failed to fulfil his duties under that Schedule.

Occurrence of vacancy in office of acting Mayor

12 (1) If, at any time during a vacancy in the office of Mayor, a casual vacancy occurs in the office of acting Mayor, the head of the Authority's paid service shall give notice of the vacancy—

(a) to the Chair of the Assembly, and

(b) to the Deputy Mayor, if there is a holder of that office,

and this Part of this Schedule (other than paragraph 2 above) shall have effect as if a vacancy in the office of Mayor **[**[F28]had occurred**]** on the date on which the vacancy in the office of acting Mayor occurs.

(2) For the purposes of this paragraph, the cases in which, and the date on which, a casual vacancy occurs in the office of acting Mayor are the cases in which, and the date on which, a casual vacancy—

(a) occurs in the acting Mayor's office as an Assembly member; or

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) would have occurred in the office of Mayor, had the acting Mayor been the Mayor.

(3) Any notice under sub-paragraph (1) above shall be given as soon as practicable after the date on which, by virtue of sub-paragraph (2) above, the vacancy is, in accordance with section 9 or 15 of this Act, to be regarded as occurring.

Textual Amendments

F28 Words in Sch. 4 para. 12(1) substituted (27.5.2000) by S.I. 2000/1435, art. 2, **Sch. 1 para. 10**

PART III

MAYOR TEMPORARILY UNABLE TO ACT NOTICE OF MAYOR'S TEMPORARY INABILITY TO ACT

13 (1) If the head of the Authority's paid service becomes aware that the Mayor is temporarily unable to act, he shall as soon as reasonably practicable give notice of that fact—

(a) to the Chair of the Assembly; and

(b) to the Deputy Mayor, if there is a holder of that office.

(2) For the purposes of the following provisions of this Part of this Schedule, any period when the Mayor is temporarily unable to act shall be taken to begin with the giving of the notice required by sub-paragraph (1) above.

Deputy Mayor to be treated as Mayor during the period

PROSPECTIVE

14 (1) During any period when the Mayor is temporarily unable to act—

(a) any functions exercisable by the Mayor shall be exercisable instead by the Deputy Mayor; and

(b) any functions exercisable by the Mayor and the Assembly acting jointly shall be exercisable instead by the Deputy Mayor and the Assembly acting jointly;

and, for that period, the Deputy Mayor shall accordingly be treated as if he were the Mayor.

(2) Sub-paragraph (1) above is subject to the following provisions of this Part of this Schedule.

Functions which are not to be exercisable by Deputy Mayor

15 (1) Paragraph 14(1)(a) above does not apply in relation to—

[[F29](a) any functions exercisable under Schedule 6 or 7 to this Act;**]**

(b) any functions in relation to the preparation, alteration or replacement of strategies under this Act; or

(c) any function of making an appointment mentioned in sub-paragraph (2) below.

(2) The appointments mentioned in sub-paragraph (1)(c) above are—

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) any appointment of a member of any of the functional bodies;
(b) any appointment of a member of any other body corporate under or by virtue of this Act;
(c) any appointment under subsection (1) of section 67 of this Act.

Textual Amendments

F29 Sch. 4 para. 15(1)(a) repealed (E.W.) (30.10.2007) by Greater London Authority Act 2007 (c. 24), ss. 16(2), 59(7), **Sch. 2**; S.I. 2007/3107, art. 2(b)(c)

Setting the budget during the period

16 **[**[F30]If and so long as any functions of the Mayor under Schedule 6 or 7 to this Act are exercisable by the Deputy Mayor pursuant to paragraph 14 above, the Deputy Mayor shall not act as an Assembly member in relation to any functions of the Assembly under either of those Schedules.**]**

Textual Amendments

F30 Sch. 4 para. 16 substituted (E.W.) (30.10.2007) by Greater London Authority Act 2007 (c. 24), **ss. 16(3)**, 59(7); S.I. 2007/3107, art. 2(b)

Mayor unable to act for three consecutive months

[F31]17 . . . . . .

Textual Amendments

F31 Sch. 4 para. 17 omitted (16.1.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 59(b)**; S.I. 2011/3019, art. 3, Sch. 1

Exercise of Mayor's functions by Chair

18 (1) This paragraph applies in relation to any period (or, as the case may be, the remainder of any period) when the Mayor is temporarily unable to act, if—
(a) at the beginning of that period there is no Deputy Mayor; or
(b) the person who, at the beginning of that period, is the Deputy Mayor gives notice to the proper officer of the Authority, within the permitted time, that he does not wish to exercise the functions of the Mayor pursuant to paragraph 14 above; or
(c) a casual vacancy occurs in the office of Deputy Mayor during that period;

and in paragraph (b) above "the permitted time" means the period of seven days following the day on which notice under paragraph 13(1)(b) above is given to the Deputy Mayor.

(2) Where this paragraph applies—
(a) paragraphs 14 and 15 above shall have effect with the substitution for references to the Deputy Mayor of references to the Chair of the Assembly **[**[F32](but see sub-paragraph (2A) below)**]** ; and

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) paragraph 17 above shall be disregarded, but without prejudice to any action taken under paragraph (a) or (b), or required to be taken under paragraph (b), of that paragraph.

[[F33](2A) The Chair of the Assembly shall not by virtue of sub-paragraph (2)(a) above exercise any functions of the Mayor under Schedule 6 or 7 to this Act.]

(3) If and so long as functions are exercisable by virtue of paragraph 14 above by the Chair of the Assembly, he shall not exercise any of the other functions of Chair of the Assembly.

(4) If and so long as the Chair of the Assembly is precluded by sub-paragraph (3) above from exercising any of his functions, those functions shall be exercisable instead by the Deputy Chair of the Assembly.

(5) If and so long as any functions of the Chair of the Assembly are, by virtue of sub-paragraph (4) above, exercisable by the Deputy Chair of the Assembly, the Deputy Chair of the Assembly shall not exercise any of his other functions.

(6) If and so long as the Deputy Chair of the Assembly is precluded by sub-paragraph (5) above from exercising any of his functions, those functions shall be exercisable instead by a person ("the acting Deputy Chair") elected for the purpose at a meeting of the Assembly from among the Assembly members.

(7) A person must not at the same time hold office as acting Deputy Chair and as Mayor, Deputy Mayor, Chair of the Assembly or Deputy Chair of the Assembly.

(8) If the acting Deputy Chair becomes Mayor, Deputy Mayor, Chair of the Assembly or Deputy Chair of the Assembly, a vacancy shall occur in the office of acting Deputy Chair.

Textual Amendments

F32 Words in Sch. 4 para. 18(2)(a) inserted (E.W.) (30.10.2007) by Greater London Authority Act 2007 (c. 24), **ss. 16(5)**, 59(7); S.I. 2007/3107, art. 2(b)

F33 Sch. 4 para. 18(2A) inserted (E.W.) (30.10.2007) by Greater London Authority Act 2007 (c. 24), **ss. 16(6)**, 59(7); S.I. 2007/3107, art. 2(b)

[[F34]SCHEDULE 4A

CONFIRMATION HEARINGS ETC

Textual Amendments

F34 Sch. 4A inserted (E.W.) (23.10.2007 for specified purposes, 21.1.2008 in so far as not already in force) by Greater London Authority Act 2007 (c. 24), ss. 4(2), 59(4)(b), **Sch. 1**; S.I. 2008/113, art. 2(a)

Application of Schedule

1 (1) This Schedule has effect where the Mayor proposes to make an appointment to any of the offices specified in section 60A(3) of this Act.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) If the Mayor decides to appoint himself to any of those offices—
  (a) he must notify the Assembly of that fact, but
  (b) the following provisions of this Schedule do not have effect in relation to the appointment of the Mayor to that office.

F35 **[** (3) This Schedule also has effect where the Mayor's Office for Policing and Crime proposes to make an appointment, under section 19 of the Police Reform and Social Responsibility Act 2011, of a person to be the Deputy Mayor for Policing and Crime.

(4) In the application of this Schedule in relation to such an appointment, references to the Mayor are to be read as references to the Mayor's Office for Policing and Crime.

(5) Paragraph 9 does not apply in relation to such an appointment (but see section 32 of the Police Reform and Social Responsibility Act 2011).

(6) Paragraph 10 applies in relation to such an appointment if the candidate is not a member of the London Assembly.

(7) Paragraphs 2, 4 and 5 are subject to paragraph 10.**]**

F36 **[** (8) Paragraph 9 does not apply in relation to—
  (a) the appointment of a person as the London Fire Commissioner, or
  (b) the appointment of a person as the Deputy Mayor for Fire under section 67(1)(b),

(but see section 327H).

(9) Paragraph 11 applies to—
  (a) the appointment of a person as the London Fire Commissioner, and
  (b) the appointment of a person as the Deputy Mayor for Fire under section 67(1)(b) if the candidate is not a member of the Assembly.

(10) Paragraphs 2, 4 and 5 are subject to paragraph 11.**]**

Textual Amendments

F35 Sch. 4A para. 1(3)-(7) inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 20(3)(a)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 6)

F36 Sch. 4A para. 1(8)-(10) inserted (E.W.) (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 14(2)**; S.I. 2018/227, art. 2(b)(i)

Mayor not to make appointment until end of confirmation process

2 (1) The Mayor must not make any appointment to the office until the end of the confirmation process has been reached.

(2) The end of the confirmation process is reached when—
  (a) the Mayor has given the Assembly the notification required by paragraph 5(2) below (acceptance or rejection of Assembly's recommendation), or
  (b) the period of 3 weeks described in sub-paragraph (3) of paragraph 4 below has expired without any recommendation under that paragraph being given to the Mayor by the Assembly.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Duty of Mayor to notify Assembly

3 (1) The Mayor must notify the Assembly of the person ("the candidate") whom he proposes to appoint to the office.

(2) The notification must contain the following information—

(a) the candidate's name;

(b) the candidate's address for correspondence;

(c) the office to which the Mayor proposes to appoint the candidate;

(d) the reasons why the candidate is the person the Mayor proposes to appoint to the office.

Assembly to make recommendation to the Mayor

4 (1) This paragraph applies when the Mayor has given that notification to the Assembly.

(2) The Assembly must make a recommendation to the Mayor as to whether or not the candidate should be appointed to the office.

(3) The recommendation must be given to the Mayor in writing before the end of the period of 3 weeks beginning with the day on which the Assembly receives the notification from the Mayor.

(4) In calculating the period of 3 weeks mentioned in sub-paragraph (3) above, no regard shall be had to the period beginning with the day of the poll at an ordinary election and ending with the day on which the Chair of the Assembly and the Deputy Chair of the Assembly are elected under section 52(2) of this Act.

The Mayor's response to the recommendation

5 (1) The Mayor may accept or reject the Assembly's recommendation.

(2) The Mayor must notify the Assembly of his decision whether to accept or reject the recommendation.

Power to request candidate to attend confirmation hearing or produce documents

6 (1) The Assembly may decide to hold a confirmation hearing before deciding the recommendation that is to be made to the Mayor.

(2) In this Schedule "confirmation hearing" means a meeting at which the candidate is requested to appear for the purpose of answering questions relating to the proposed appointment.

(3) In this Schedule "appear", in relation to a meeting, means—

(a) attend in person, or

(b) participate in proceedings by means of any device that enables a person to hear and be heard in the proceedings as they happen, without attending in person.

(4) The Assembly may decide to request the candidate to produce, whether at a confirmation hearing or otherwise, documents which are in his possession or under his control and which relate to the proposed appointment.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Procedure for requesting candidate's appearance at confirmation hearing

7 (1) This paragraph applies where the Assembly decides to hold a confirmation hearing.

(2) The head of the Authority's paid service must give the candidate a notice requesting him to appear at the confirmation hearing.

(3) The notice must state the date on which, and the time and place at which, the confirmation hearing is to take place.

(4) The notice must state whether the candidate is requested to attend in person.

(5) If the candidate is not requested to attend in person, the notice must specify or describe the means by which the candidate may appear.

(6) The notice must be given to the candidate at least one week before the day on which the confirmation hearing is to take place, unless the candidate waives this right.

(7) The notice is to be taken to have been given to the candidate if it is sent by—

(a) registered post, or

(b) a recorded delivery service,

to the address for correspondence specified in the Mayor's notification under paragraph 3 above.

(8) Sections 61 and 62 of this Act (power to require attendance at meetings and procedure for doing so) do not apply in relation to the candidate in the case of a confirmation hearing.

Restriction of information etc

8 (1) This paragraph applies in relation to—

(a) any confirmation hearing, and

(b) any document which the candidate is requested to produce by virtue of paragraph 6(4) above.

(2) The Secretary of State may by order make provision for any order for the time being in force under section 63 of this Act (restriction of information) to have effect (with or without modifications) in relation to the candidate as it has effect in relation to a person required to attend proceedings or produce documents under section 61(1)(a) or (b) of this Act.

(3) The candidate is not obliged to answer any question or produce any document which he would be entitled to refuse to answer or produce in or for the purposes of proceedings in a court in England or Wales.

Discharge of Assembly's functions by Assembly, ordinary committee or Chair of Assembly

9 (1) The Assembly may arrange under section 54(1)(a) of this Act for any of its functions under this Schedule to be discharged on its behalf by an ordinary committee.

(2) The Assembly may arrange under section 54(1)(b) of this Act for any of the following functions to be discharged on its behalf by the Chair of the Assembly—

(a) its function under paragraph 6(1) above of deciding whether to hold a confirmation hearing;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) its function under paragraph 6(4) above of deciding whether to request the candidate to produce any documents.

(3) Except as provided by sub-paragraphs (1) and (2) above, neither the Assembly nor an ordinary committee may arrange for the discharge of any functions under this Schedule on its behalf by—

(a) any committee or sub-committee, or

(b) a single member of the Assembly.**]**

[[F37]10 (1) The London Assembly may veto the appointment of the candidate as Deputy Mayor for Policing and Crime if the candidate is not a member of the London Assembly.

(2) The exercise of that power of veto in relation to an appointment is not valid unless the London Assembly—

(a) has held a confirmation meeting in relation to the appointment before the exercise of the power; and

(b) notifies the Mayor's Office for Policing and Crime of the veto within the period of 3 weeks described in paragraph 4(3).

(3) If the London Assembly vetoes the appointment of the candidate, the Mayor's Office for Policing and Crime must not appoint the candidate.

(4) References in this Schedule to the London Assembly vetoing the appointment of a candidate are references to the Assembly making a decision, by the required majority, that the candidate should not be appointed as Deputy Mayor for Policing and Crime.

(5) For that purpose, the London Assembly makes that decision by the required majority if at least two-thirds of the votes given in making that decision are votes in favour of making that decision.**]**

Textual Amendments

F37 Sch. 4A para. 10 inserted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 20(3)(b)**, 157(1); S.I. 2011/3019, art. 3, Sch. 1 (with art. 6)

[[F38]11 (1) The Assembly may veto—

(a) the appointment of the candidate as the London Fire Commissioner, or

(b) the appointment of the candidate as the Deputy Mayor for Fire if the candidate is not a member of the Assembly.

(2) The exercise of that power of veto in relation to an appointment is not valid unless the Assembly—

(a) has held a confirmation meeting in relation to the appointment before the exercise of the power; and

(b) notifies the Mayor of the veto within the period of 3 weeks described in paragraph 4(3).

(3) If the Assembly vetoes the appointment of the candidate, the Mayor must not appoint the candidate.

(4) References in this Schedule to the Assembly vetoing the appointment of a candidate are references to the Assembly making a decision, by the required majority, that the candidate should not be appointed—

(a) as the London Fire Commissioner, or

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) as the Deputy Mayor for Fire.

(5) For that purpose, the Assembly makes that decision by the required majority if at least two-thirds of the votes given in making that decision.**]**

Textual Amendments

F38 Sch. 4A para. 11 inserted (E.W.) (31.1.2017 for specified purposes, 1.3.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 14(3)**; S.I. 2018/227, art. 2(b)(i)

SCHEDULE 5

Section 77.

PROMOTION OF BILLS IN PARLIAMENT BY THE AUTHORITY

Preliminary requirements

1 No Bill may be deposited in Parliament by virtue of section 77(1)(a) of this Act until the requirements of paragraphs 2 and 4 below have been complied with.

Consultation on draft Bill

2 (1) The Mayor shall—
(a) prepare a draft of the proposed Bill ("the draft Bill");
(b) send copies of the draft Bill to the bodies specified in sub-paragraph (2) below; and
(c) consult those bodies about the draft Bill.

(2) Those bodies are—
(a) the Assembly;
(b) every London borough council; and
(c) the Common Council.

(3) Where the Mayor sends copies of the draft Bill to those bodies pursuant to sub-paragraph (1)(b) above, he shall also give those bodies notice of the time within which, and the place at which, they may make representations about the draft Bill.

Publicity for, and exposure of, the draft Bill

3 (1) Throughout the consultation period, the Mayor shall take such steps as in his opinion will give adequate publicity to the draft Bill.

(2) A copy of the draft Bill shall be kept available by the Mayor for inspection by any person on request free of charge—
(a) at the principal offices of the Authority, and
(b) at such other places as the Mayor considers appropriate,
at reasonable hours throughout the consultation period.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) A copy of the draft Bill, or of any part of the draft Bill, shall be supplied to any person on request during the consultation period for such reasonable fee as the Mayor may determine.

(4) In this paragraph "the consultation period" means the period which—
  (a) begins with the first day after the requirements of paragraph 2(1)(b) above have been complied with; and
  (b) ends with the time notified pursuant to paragraph 2(3) above.

Consultation on revised draft Bill

4 (1) If, after considering any representations made about the draft Bill pursuant to paragraph 2 above, the Mayor decides to continue with the proposal for a Bill to be promoted, he shall prepare a revised draft of the proposed Bill ("the revised draft Bill").

(2) The revised draft Bill must be in the form of the draft Bill, either as originally prepared or as modified to take account of—
  (a) representations made pursuant to paragraph 2 above;
  (b) other representations made within the consultation period; or
  (c) other material considerations.

(3) After the expiration of at least 30 days from the beginning of the consultation period, the Mayor shall—
  (a) send a copy of the revised draft Bill to the Assembly; and
  (b) consult the Assembly about it.

(4) Where the Mayor sends a copy of the revised draft Bill to the Assembly pursuant to sub-paragraph (3)(a) above, he shall also give the Assembly notice of the period within which it may make representations to him about the revised draft Bill.

(5) The period specified under sub-paragraph (4) above must be such as will afford the Assembly a reasonable opportunity to consider the revised draft Bill and make representations about it to the Mayor.

(6) In this paragraph "the consultation period" has the same meaning as in paragraph 3 above.

Deposition of the Bill in Parliament

5 If, after the requirements of paragraph 4 above have been complied with, a Bill is deposited in Parliament by virtue of section 77(1)(a) of this Act, that Bill must be in the form of the revised draft Bill, either as originally prepared or as modified to take account of—
  (a) representations made by the Assembly pursuant to paragraph 4 above; or
  (b) other material considerations.

Bills affecting statutory functions of London local authorities

6 If a Bill proposed to be deposited in Parliament by virtue of section 77(1)(a) of this Act contains provisions affecting the exercise of statutory functions by a London local authority, the Bill shall not be deposited in Parliament unless—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) in a case where the exercise of statutory functions of one London local authority is affected, that authority has given its written consent to the Bill in the form in which it is to be so deposited; or

(b) in a case where the exercise of statutory functions of two or more London local authorities is affected, at least 90 per cent. of all London local authorities have given their written consent to the Bill in that form.

(2) In this paragraph "London local authority" means—

(a) a London borough council; or

(b) the Common Council.

Publicity for the deposited Bill

7 (1) This paragraph applies where a Bill ("the deposited Bill") is deposited in Parliament by virtue of section 77(1)(a) of this Act.

(2) During the period of 14 days following the day on which the deposited Bill is deposited in Parliament, the Mayor shall take such steps as in his opinion will give adequate publicity to the Bill.

(3) A copy of the deposited Bill shall be kept available by the Mayor for inspection by any person on request free of charge—

(a) at the principal offices of the Authority, and

(b) at such other places as the Mayor considers appropriate,

at reasonable hours throughout the period while the Bill is in Parliament.

(4) A copy of the deposited Bill, or of any part of the deposited Bill, shall be supplied to any person on request during that period for such reasonable fee as the Mayor may determine.

SCHEDULE 6

Section 87.

PROCEDURE FOR DETERMINING THE AUTHORITY'S CONSOLIDATED [F39 COUNCIL TAX] REQUIREMENT

Textual Amendments

F39 Words in Sch. 6 heading substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(a)**; S.I. 2011/2896, art. 2(i)

Modifications etc. (not altering text)

C3 Sch. 6 applied (with modifications) (27.7.1999 with application in relation to the limitation of council tax and precepts as regards the financial year beginning with 1.4.2000 and subsequent financial years) by 1992 c. 14, **s. 52J** (as inserted (27.7.1999 with application in relation to the limitation of council tax and precepts as regards the financial year beginning with 1.4.2000 and subsequent financial years) by 1999 c. 27, s. 30, **Sch. 1 Pt. I para. 1**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Preliminary

1 (1) It shall be the duty of the Mayor and the Assembly, in accordance with the following provisions of this Schedule, to prepare and approve for each financial year—

(a) a budget for each of the constituent bodies as such (a "component budget"); and

(b) a consolidated budget for the Authority (a "consolidated budget").

(2) A component budget must consist of statements of—

(a) the amount of the component **[**[F40]council tax**]** requirement for the constituent body concerned; and

(b) the calculations under section 85(4) to (7) of this Act which give rise to that amount.

(3) A consolidated budget must consist of statements of—

(a) the amount of the Authority's consolidated **[**[F41]council tax**]** requirement;

(b) the amount of the component **[**[F42]council tax**]** requirement for each constituent body; and

(c) the calculations under section 85(4) to (8) of this Act which give rise to each of the amounts mentioned in paragraphs (a) and (b) above.

(4) In this Schedule "public meeting", in relation to the Assembly, means a meeting of the Assembly throughout which members of the public are entitled to be present.

[[F43](5) In this Schedule "the relevant principles", in relation to a budget or a council tax requirement for a financial year, means the principles approved by the House of Commons for the financial year under section 52ZD of the Local Government Finance Act 1992 (principles in connection with council tax referendums).

(6) For the purposes of this Schedule, whether or not a budget or council tax requirement for a financial year complies with the relevant principles is to be determined by reference to whether or not the amount that would be calculated for the year under section 88 or 89 above (calculation of basic amount of council tax) by reference to the budget or council tax requirement is excessive by reference to the relevant principles.**]**

Textual Amendments

F40 Words in Sch. 6 para. 1(2)(a) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(b)**; S.I. 2011/2896, art. 2(i)

F41 Words in Sch. 6 para. 1(3)(a) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(b)**; S.I. 2011/2896, art. 2(i)

F42 Words in Sch. 6 para. 1(3)(b) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(b)**; S.I. 2011/2896, art. 2(i)

F43 Sch. 6 para. 1(5)(6) inserted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 37(2)**; S.I. 2011/2896, art. 2(i)

Mayor's draft component budget for each constituent body

2 (1) For each financial year, the Mayor shall prepare a draft of his proposed component budget for each of the constituent bodies (a "draft component budget").

[[F44](2) The Mayor shall consult the Assembly—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) before preparing the draft component budget for the Mayor, and
(b) before preparing the draft component budget for the Assembly.**]**

(3) Before preparing the draft component budget for a functional body, the Mayor shall consult the body.

Textual Amendments

F44 Sch. 6 para. 2(2) substituted (E.W.) (with effect in accordance with s. 59(6) of the amending Act) by Greater London Authority Act 2007 (c. 24), **ss. 13(2)**, 59(4); S.I. 2007/3107, **art. 3**

Draft consolidated budget

3 (1) After the Mayor has prepared the draft component budgets under paragraph 2 above, he shall prepare a draft of his proposed consolidated budget for the financial year (the "draft consolidated budget").

(2) Before finally determining the contents of the draft consolidated budget, the Mayor shall consult—
(a) the Assembly, if paragraph (b) below does not apply, or
(b) if the Assembly has so resolved, such committee or other representatives of the Assembly as may be specified in, or determined in accordance with, the resolution,

and (in either case) such other bodies or persons as appear appropriate to the Mayor.

(3) The Mayor shall—
(a) present the draft consolidated budget to the Assembly at a public meeting of the Assembly; and
(b) publish it in such manner as he may determine.

(4) It shall be the duty of the Mayor to comply with paragraph 2 and sub-paragraphs (1) to (3) above on or before **[**[F45]15th February**]** in the financial year preceding that to which the draft consolidated budget relates.

Textual Amendments

F45 Words in Sch. 6 para. 3(4) substituted (10.1.2024 with application in relation to the financial year beginning on 1.4.2024) by The Greater London Authority (Consolidated Council Tax Requirement Procedure) Regulations 2023 (S.I. 2023/1298), regs. 1(1), **2**

Failure of Mayor to comply with paragraph 3(4)

4 (1) If the Mayor fails to comply with paragraph 3(4) above, the Assembly shall—
(a) prepare a draft component budget for each functional body, after consultation with that body;
[[F46](b) prepare a draft component budget for the Mayor;
(bb) prepare a draft component budget for the Assembly; and**]**
(c) prepare a draft consolidated budget.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

[[F47](1A) If the draft consolidated budget does not comply with the relevant principles, the Assembly shall also prepare a draft substitute consolidated budget that complies with those principles.**]**

(2) If, at a public meeting of the Assembly, the draft consolidated budget prepared under sub-paragraph (1)(c) above is approved by the Assembly—

(a) that draft, as so approved, shall be the Authority's consolidated budget for the financial year to which it relates; and

(b) the following provisions of this Schedule shall not apply in relation to the consolidated budget or the component budgets for that financial year.

[[F48](3) If, at the public meeting referred to in sub-paragraph (2) above, the draft substitute consolidated budget prepared under sub-paragraph (1A) above is approved by the Assembly, that draft, as so approved, shall be the Authority's substitute consolidated budget for the financial year to which it relates.**]**

Textual Amendments

F46 Sch. 6 para. 4(1)(b)(bb) substituted for Sch. 6 para. 4(1)(b) (E.W.) (with effect in accordance with s. 59(6) of the amending Act) by Greater London Authority Act 2007 (c. 24), **ss. 13(3)**, 59(4); S.I. 2007/3107, **art. 3**

F47 Sch. 6 para. 4(1A) inserted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 37(3)(a)**; S.I. 2011/2896, art. 2(i)

F48 Sch. 6 para. 4(3) inserted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 37(3)(b)**; S.I. 2011/2896, art. 2(i)

Assembly consideration of Mayor's draft budget

5 (1) This paragraph applies where the Mayor presents a draft consolidated budget to the Assembly in accordance with paragraph 3 above.

(2) The draft consolidated budget must be considered at a public meeting of the Assembly.

(3) The Assembly must approve the draft consolidated budget, together with the draft component budgets comprised in it, with or without amendment **[**[F49](but see paragraph 5A below)**]**.

(4) For the purposes of sub-paragraph (3) above, the only amendments which are to be made are those agreed to by the Assembly.

(5) If no amendments are made on consideration of the draft consolidated budget (whether to that budget or to any of the draft component budgets comprised in it) the draft consolidated budget shall be deemed to be approved without amendment.

Textual Amendments

F49 Words in Sch. 6 para. 5(3) inserted (E.W.) (with effect in accordance with s. 59(6) of the amending Act) by Greater London Authority Act 2007 (c. 24), **ss. 13(4)**, 59(4); S.I. 2007/3107, **art. 3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

[F50 Limit on Assembly's powers to amend Mayor's draft budget for the Assembly

Textual Amendments

F50 Sch. 6 para. 5A and cross-heading inserted (E.W.) (with effect in accordance with s. 59(6) of the amending Act) by Greater London Authority Act 2007 (c. 24), **ss. 13(5)**, 59(4); S.I. 2007/3107, **art. 3**

5A (1) In exercising its powers of amendment under paragraph 5(3) above, the Assembly must not make amendments affecting the amount of the draft component **[**F51council tax**]** requirement for the Assembly if those amendments, taken together, contravene sub-paragraph (2) below.

(2) Amendments contravene this sub-paragraph if—

(a) the effect of implementing the amendments is to increase the amount of the draft component **[**F52council tax**]** requirement for the Assembly, and

(b) the condition in sub-paragraph (3) below is met.

(3) The condition is that—

(a) the draft component **[**F53council tax**]** requirement for the Assembly, after implementing the amendments,

exceeds

(b) the adjusted previous component **[**F53council tax**]** requirement for the Assembly.

(4) Find the adjusted previous component **[**F53council tax**]** requirement for the Assembly as follows.

(5) Find NM and OM, where—

NM is the draft component **[**F53council tax**]** requirement for the Mayor, before implementing any amendments under paragraph 5(3) above;

OM is the component **[**F53council tax**]** requirement for the Mayor for the previous financial year.

(6) If NM is greater than OM—

(a) find the percentage by which NM is greater than OM, and

(b) increase the amount of the component **[**F54council tax**]** requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component budget requirement for the Assembly.

(7) If NM is less than OM—

(a) find the percentage by which NM is less than OM, and

(b) reduce the amount of the component **[**F55council tax**]** requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component **[**F55council tax**]** requirement for the Assembly.

(8) If NM equals OM, then—

(a) the adjusted previous component **[**F55council tax**]** requirement for the Assembly,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

equals

(b) the amount of the component **[**[F55]council tax**]** requirement for the Assembly for the previous financial year.

(9) The Authority's chief finance officer may direct that such amounts as he may specify in the direction are to be left out of account for the purpose of determining the adjusted previous component **[**[F55]council tax**]** requirement for the Assembly.

(10) The Secretary of State may give the chief finance officer guidance with respect to the exercise of the power to give a direction under sub-paragraph (9) above.

(11) The chief finance officer must have regard to any such guidance.

(12) For the purposes of this Schedule the "draft component **[**[F56]council tax**]** requirement" for any constituent body is the component **[**[F56]council tax**]** requirement for the body as stated in the draft component budget for the body.**]**

Textual Amendments

F51 Words in Sch. 6 para. 5A(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(c)**; S.I. 2011/2896, art. 2(i)

F52 Words in Sch. 6 para. 5A(2)(a) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(c)**; S.I. 2011/2896, art. 2(i)

F53 Words in Sch. 6 paras. 5A(3)-(5) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(c)**; S.I. 2011/2896, art. 2(i)

F54 Words in Sch. 6 para. 5A(6)(b) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(c)**; S.I. 2011/2896, art. 2(i)

F55 Words in Sch. 6 paras. 5A(7)-(9) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(c)**; S.I. 2011/2896, art. 2(i)

F56 Words in Sch. 6 para. 5A(12) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(c)**; S.I. 2011/2896, art. 2(i)

The Mayor's final draft of the proposed consolidated budget

6 (1) After—

(a) the draft consolidated budget has been approved (with or without amendment) under paragraph 5 above, or

(b) such period as the Mayor considers reasonable has elapsed without the draft consolidated budget having been so approved,

the Mayor shall prepare a final draft of his proposed consolidated budget for the financial year (the "final draft budget").

(2) In a case falling within paragraph (b) of sub-paragraph (1) above—

(a) the Mayor shall lay before the Assembly in accordance with the standing orders of the Authority a statement that he is proceeding by virtue of that paragraph; and

(b) on the laying of the statement, the Assembly shall be deemed to have approved the draft consolidated budget without amendment.

(3) Whether the Assembly have approved the draft consolidated budget with or without amendment, the final draft budget may be—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) the draft consolidated budget, as approved by the Assembly, with the amendments (if any) made under paragraph 5 above;
(b) the draft consolidated budget amended by the Mayor as he considers appropriate; or
(c) the same as the draft consolidated budget.

(4) The Mayor shall—
(a) present the final draft budget to the Assembly; and
(b) publish it in such manner as he may determine.

(5) If—
(a) the Assembly approved the draft consolidated budget with amendments under paragraph 5 above, but
(b) the final draft budget is anything other than the draft consolidated budget with those amendments,

the Mayor, at the time when he presents the final draft budget to the Assembly, shall lay before the Assembly in accordance with standing orders of the Authority a written statement of his reasons for preparing a final draft budget which is not the draft consolidated budget with those amendments.

(6) It shall be the duty of the Mayor (having regard to paragraph 8(7) below) to comply with sub-paragraph (4) above before the last day of February in the financial year preceding that to which the final draft budget relates.

[F57 The Mayor's substitute consolidated budget

Textual Amendments
F57 Sch. 6 para. 6A and cross-heading inserted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 37(4)**; S.I. 2011/2896, art. 2(i)

6A (1) This paragraph applies if the Mayor prepares a final draft budget that does not comply with the relevant principles.

(2) The Mayor shall also prepare a draft substitute consolidated budget that complies with those principles.

(3) The Mayor shall—
(a) present the draft substitute consolidated budget to the Assembly, and
(b) publish it in such manner as the Mayor may determine.

(4) The Mayor shall, at the time when the Mayor presents the draft substitute consolidated budget to the Assembly, lay before the Assembly in accordance with standing orders of the Authority a written statement of the reasons for the differences between the final draft budget and the draft substitute consolidated budget.

(5) It shall be the duty of the Mayor (having regard to paragraphs 8(7) and 8C below) to comply with sub-paragraph (4) above before the last day of February in the financial year preceding that to which the final draft budget relates.**]**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Failure of Mayor to present final draft budget

7 (1) This paragraph applies if the Mayor has complied with paragraph 3(4) above but has failed to comply with paragraph 6(6) above.

(2) Where this paragraph applies, a public meeting of the Assembly shall be held to determine the Authority's consolidated **[**[F58]council tax**]** requirement.

(3) The component **[**[F58]council tax**]** requirement of each of the constituent bodies shall be agreed by the Assembly.

(4) The Authority's consolidated **[**[F58]council tax**]** requirement shall be deemed to be agreed by the Assembly accordingly.

[[F59](4A) If the Authority's consolidated council tax requirement does not comply with the relevant principles, the Assembly shall also agree a substitute consolidated council tax requirement that complies with those principles at the public meeting.**]**

(5) Where this paragraph applies, the following provisions of this Schedule shall not apply in relation to the consolidated budget or the component budgets for the financial year in question.

Textual Amendments

F58 Words in Sch. 6 para. 7(2)-(4) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(d)**; S.I. 2011/2896, art. 2(i)

F59 Sch. 6 para. 7(4A) inserted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 37(5)**; S.I. 2011/2896, art. 2(i)

Approval of Mayor's final draft budget by Assembly

8 (1) This paragraph applies where the Mayor presents a final draft budget to the Assembly in accordance with paragraph 6 above.

(2) The final draft budget must be considered at a public meeting of the Assembly.

(3) After considering the final draft budget, the Assembly must approve it with or without amendment **[**[F60] (but see paragraph 8A below) **]** .

(4) For the purposes of sub-paragraph (3) above, the only amendments which are to be made are those agreed to by at least two-thirds of the Assembly members voting.

(5) If no amendments are made on consideration of the final draft budget, the final draft budget shall be deemed to be approved without amendment.

(6) The final draft budget as approved by the Assembly with or without amendment shall be the Authority's consolidated budget for the financial year.

[[F61](6A) Sub-paragraph (6B) below applies if—

(a) the final draft budget is approved by the Assembly with amendments, and

(b) as a result, the final draft budget no longer complies with the relevant principles.

(6B) The Assembly shall also agree a substitute consolidated budget that complies with those principles at the public meeting.**]**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(7) It shall be the duty of the Assembly to approve the final draft budget with or without amendment before the last day of February in the financial year preceding that to which the final draft budget relates.

Textual Amendments

F60 Words in Sch. 6 para. 8(3) inserted (E.W.) (with effect in accordance with s. 59(6) of the amending Act) by Greater London Authority Act 2007 (c. 24), **ss. 13(6)**, 59(4); S.I. 2007/3107, **art. 3**

F61 Sch. 6 para. 8(6A)(6B) inserted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 37(6)**; S.I. 2011/2896, art. 2(i)

[F62 Limit on Assembly's power to amend Mayor's final draft budget for the Assembly

Textual Amendments

F62 Sch. 6 para. 8A and cross-heading inserted (E.W.) (with effect in accordance with s. 59(6) of the amending Act) by Greater London Authority Act 2007 (c. 24), **ss. 13(7)**, 59(4); S.I. 2007/3107, **art. 3**

8A (1) In exercising its powers of amendment under paragraph 8 above, the Assembly must not make amendments affecting the amount of the final draft component **[**F63council tax**]** requirement for the Assembly if those amendments, taken together, contravene sub-paragraph (2) below.

(2) Amendments contravene this sub-paragraph if—

(a) the effect of implementing the amendments is to increase the amount of the final draft component **[**F64council tax**]** requirement for the Assembly, and

(b) the condition in sub-paragraph (3) below is met.

(3) The condition is that—

(a) the final draft component **[**F65council tax**]** requirement for the Assembly, after implementing the amendments,

exceeds

(b) the adjusted previous component **[**F65council tax**]** requirement for the Assembly.

(4) Find the adjusted previous component **[**F65council tax**]** requirement for the Assembly as follows.

(5) Find NM and OM, where—

NM is the final draft component **[**F65council tax**]** requirement for the Mayor, before implementing any amendments under paragraph 8(3) above;

OM is the component **[**F65council tax**]** requirement for the Mayor for the previous financial year.

(6) If NM is greater than OM—

(a) find the percentage by which NM is greater than OM, and

(b) increase the amount of the component **[**F66council tax**]** requirement for the Assembly for the previous financial year by the same percentage.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

The result is the adjusted previous component **[**[F66]council tax**]** requirement for the Assembly.

(7) If NM is less than OM—

(a) find the percentage by which NM is less than OM, and

(b) reduce the amount of the component **[**[F67]council tax**]** requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component **[**[F67]council tax**]** requirement for the Assembly.

(8) If NM equals OM, then—

(a) the adjusted previous component **[**[F68]council tax**]** requirement for the Assembly,

equals

(b) the amount of the component **[**[F68]council tax**]** requirement for the Assembly for the previous financial year.

(9) Sub-paragraphs (9) to (11) of paragraph 5A above (power of chief finance officer to direct amounts to be left out of account) also have effect for the purposes of this paragraph.

(10) For the purposes of this Schedule the "final draft component budget requirement" for any constituent body is the component **[**[F69]council tax**]** requirement for the body as stated in the final draft **[**[F69]council tax**].]**

Textual Amendments

F63 Words in Sch. 6 para. 8A(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(e)**; S.I. 2011/2896, art. 2(i)

F64 Words in Sch. 6 para. 8A(2)(a) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(e)**; S.I. 2011/2896, art. 2(i)

F65 Words in Sch. 6 paras. 8A(3)-(5) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(e)**; S.I. 2011/2896, art. 2(i)

F66 Words in Sch. 6 para. 8A(6)(b) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(e)**; S.I. 2011/2896, art. 2(i)

F67 Words in Sch. 6 para. 8A(7) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(e)**; S.I. 2011/2896, art. 2(i)

F68 Words in Sch. 6 para. 8A(8) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(e)**; S.I. 2011/2896, art. 2(i)

F69 Words in Sch. 6 para. 8A(10) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 40(e)**; S.I. 2011/2896, art. 2(i)

[[F70]*Approval of substitute consolidated budget by Assembly following non-compliance by Mayor with paragraph 6A*

Textual Amendments

F70 Sch. 6 paras. 8B-8D and cross-headings inserted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 37(7)**; S.I. 2011/2896, art. 2(i)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

8B (1) This paragraph applies if—

(a) the Mayor presents a final draft budget to the Assembly in accordance with paragraph 6 above, and

(b) the Mayor has failed to comply with paragraph 6A(5) above.

(2) If at the public meeting held under paragraph 8 above the Assembly approves a final draft budget that does not comply with the relevant principles, it shall also agree a substitute consolidated budget that complies with those principles at that meeting.

Approval of substitute consolidated budget by Assembly following compliance by Mayor with paragraph 6A

8C (1) This paragraph applies if—

(a) the Mayor presents a draft substitute consolidated budget to the Assembly in accordance with paragraph 6A above,

(b) a public meeting is held under paragraph 8 above to consider the draft final budget to which it relates, and

(c) the final budget as approved at that public meeting continues not to comply with the relevant principles.

(2) The draft substitute consolidated budget must be considered at the public meeting.

(3) After considering the draft substitute consolidated budget, the Assembly must approve it with or without amendment (but see paragraph 8D below).

(4) For the purposes of sub-paragraph (3) above, the only amendments which are to be made are those agreed to by at least two-thirds of the Assembly members voting.

(5) If no amendments are made on consideration of the draft substitute consolidated budget, it shall be deemed to be approved without amendment.

(6) The draft substitute consolidated budget as approved by the Assembly with or without amendments shall be the Authority's substitute consolidated budget for the financial year.

Limit on Assembly's power to amend Mayor's substitute consolidated budget

8D (1) Paragraph 8A above applies to amendments to the draft substitute consolidated budget as it applies to amendments to the final draft budget but as if—

(a) references to the final draft component council tax requirement for the Assembly were to the component council tax requirement for the Assembly as stated in the draft substitute consolidated budget, and

(b) references to the final draft component council tax requirement for the Mayor were to the component council tax requirement for the Mayor as stated in the draft substitute consolidated budget.

(2) In exercising its powers of amendment under paragraph 8C above, the Assembly must not in any event make amendments that mean that the draft substitute consolidated budget no longer complies with the relevant principles.**]**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Failure of Assembly to approve final draft budget

9 If the Assembly fails to comply with paragraph 8(7) above, the final draft budget presented to the Assembly in accordance with paragraph 6 above shall be the Authority's consolidated budget for the financial year.

***[F71** Failure of Assembly to approve substitute consolidated budget or council tax requirement*

Textual Amendments

F71 Sch. 6 para. 9ZA and cross-heading inserted (with effect in accordance with art. 1(2)(3) of the amending S.I.) by The Localism Act 2011 (Consequential Amendments) Order 2014 (S.I. 2014/389), **art. 7**

9ZA. (1) This paragraph applies if—

(a) the Assembly was required to prepare a draft substitute consolidated budget for a financial year in accordance with sub-paragraph (1A) of paragraph 4 above, but has failed to approve such a draft substitute consolidated budget at a public meeting held under sub-paragraph (2) of that paragraph,

(b) the Assembly was required to agree a substitute consolidated council tax requirement for a financial year at a public meeting in accordance with paragraph 7(4A) above, but has failed to comply with that requirement, or

(c) the Assembly was required to agree a substitute consolidated budget for a financial year at a public meeting in accordance with paragraph 8(6B) or 8B(2) above, but has failed to comply with that requirement.

(2) The Assembly must, at a public meeting of the Assembly, agree a substitute consolidated budget for the financial year or, as the case may be, a substitute consolidated council tax requirement for that year that (in either case) complies with the relevant principles.

(3) A public meeting held under sub-paragraph (2) to agree a substitute consolidated budget or a substitute consolidated council tax requirement for a financial year may be held at any time before or after the end of that year.**]**

***[F72** Failure of Assembly to approve draft substitute consolidated budget*

Textual Amendments

F72 Sch. 6 para. 9A and cross-heading inserted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 37(8)**; S.I. 2011/2896, art. 2(i)

9A If the Assembly fails to comply with paragraph 8C above, the draft substitute consolidated budget presented to the Assembly in accordance with paragraph 6A above shall be the Authority's substitute consolidated budget for the year.**]**

Regulations amending dates

10 The Secretary of State may by regulations modify this Schedule in its application in relation to any particular financial year, by substituting for any reference to 1st February in the preceding financial year a reference to such other day as may be specified in the regulations.

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I2 Sch. 6 para. 10 wholly in force at 3.7.2000; by virtue of s. 425(2) it is provided that the Act comes into force at Royal Assent in regards to any power of a Minister of the Crown to make regulations or an order; Sch. 6 para. 10 in force at 3.7.2000 by S.I. 1999/3434, **art. 4**

Publication

11 (1) The Mayor shall as soon as practicable publish each of the following documents—

(a) the Authority's consolidated budget for the year; and

(b) the component budget of each constituent body for the year.

(2) In this paragraph "relevant document" means any document required to be published under sub-paragraph (1) above.

(3) A copy of each relevant document shall be kept available for the appropriate period by the Mayor for inspection by any person on request free of charge at the principal offices of the Authority at reasonable hours.

(4) A copy of any relevant document, or any part of a relevant document, shall be supplied to any person on request during the appropriate period for such reasonable fee as the Mayor may determine.

(5) In this paragraph "the appropriate period" in the case of any document is the period of six years beginning with the date of publication of the document pursuant to this paragraph.

SCHEDULE 7

Section 98.

PROCEDURE FOR MAKING OF SUBSTITUTE CALCULATIONS BY THE AUTHORITY

Modifications etc. (not altering text)

C4 Sch. 7 applied by 1992 c. 14, s. 52ZU(11) (as inserted (3.12.2011) by Localism Act 2011 (c. 20), ss. 72(1), 240(2), **Sch. 5**; S.I. 2011/2896, art. 2(i))

Preliminary

1 (1) This Schedule applies in relation to any substitute calculations which are required to be made in accordance with it.

(2) In this Schedule "public meeting", in relation to the Assembly, means a meeting of the Assembly throughout which members of the public are entitled to be present.

The Mayor's first draft

2 (1) The Mayor shall prepare a draft of his proposals for the substitute calculations ("the first draft").

(2) Before finally determining the contents of the first draft, the Mayor shall consult—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) the Assembly; and
(b) each of the functional bodies affected by the proposals.

(3) The Mayor shall—
(a) lay the first draft before the Assembly in accordance with standing orders of the Authority; and
(b) publish it in such manner as he may determine.

Failure of Mayor to comply with paragraph 2(3)

3 (1) This paragraph applies if the Mayor has not complied with paragraph 2(3) above before the beginning of the period of restriction for the purposes of section 96 of this Act or section **[**[F73]52ZW**]** of the [M8]Local Government Finance Act 1992.

(2) Where this paragraph applies, the Assembly shall prepare a draft of their proposals for the substitute calculations, after consulting each of the functional bodies affected by the proposals.

(3) If, at a public meeting of the Assembly, the draft proposals prepared under sub-paragraph (2) above are approved by the Assembly—
(a) the Authority's substitute calculations shall be the substitute calculations in that draft as so approved; and
(b) the following provisions of this Schedule shall not apply in relation to the substitute calculations.

Textual Amendments

F73 Word in Sch. 7 para. 3(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 38(2)**; S.I. 2011/2896, art. 2(i)

Marginal Citations

M8 1992 c. 14.

Assembly consideration of Mayor's first draft

4 (1) This paragraph applies where the Mayor has laid the first draft before the Assembly in accordance with paragraph 2 above.

(2) The first draft must be considered at a public meeting of the Assembly.

(3) The Assembly must approve the first draft with or without amendment.

(4) For the purposes of sub-paragraph (3) above, the only amendments which are to be made are those agreed to by the Assembly.

(5) If no amendments are made on consideration of the first draft, the first draft shall be deemed to be approved without amendment.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

[F74 Limit on Assembly's powers to amend Mayor's first draft budget for the Assembly

Textual Amendments

F74 Sch. 7 para. 4A and cross-heading inserted (E.W.) (with effect in accordance with s. 59(6) of the amending Act) by Greater London Authority Act 2007 (c. 24), **ss. 14(2)**, 59(4); S.I. 2007/3107, **art. 3**

4A (1) In exercising its powers of amendment under paragraph 4(3) above, the Assembly must not make amendments affecting the amount of the first draft component **[**F75council tax**]** requirement for the Assembly if those amendments, taken together, contravene sub-paragraph (2) below.

(2) Amendments contravene this sub-paragraph if—

(a) the effect of implementing the amendments is to increase the amount of the first draft component **[**F76council tax**]** requirement for the Assembly, and

(b) the condition in sub-paragraph (3) below is met.

(3) The condition is that—

(a) the first draft component **[**F77council tax**]** requirement for the Assembly, after implementing the amendments,

exceeds

(b) the adjusted previous component **[**F77council tax**]** requirement for the Assembly (see sub-paragraph (5)).

(4) This paragraph is without prejudice to section 49(2) of the Local Government Finance Act 1992 (substitute amount not to exceed previous amount (but see section 49(6) of that Act)).

(5) Find the adjusted previous component **[**F78council tax**]** requirement for the Assembly as follows.

(6) Find NM and OM, where—

NM is the first draft component **[**F78council tax**]** requirement for the Mayor, before implementing any amendments under paragraph 4(3) above;

OM is the component **[**F78council tax**]** requirement for the Mayor for the previous financial year.

(7) If NM is greater than OM—

(a) find the percentage by which NM is greater than OM, and

(b) increase the amount of the component **[**F78council tax**]** requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component **[**F78council tax**]** requirement for the Assembly.

(8) If NM is less than OM—

(a) find the percentage by which NM is less than OM, and

(b) reduce the amount of the component **[**F78council tax**]** requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component **[**F78council tax**]** requirement for the Assembly.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(9) If NM equals OM, then—

(a) the adjusted previous component **[**[F78]council tax**]** requirement for the Assembly,

equals

(b) the amount of the component **[**[F78]council tax**]** requirement for the Assembly for the previous financial year.

(10) Sub-paragraphs (9) to (11) of paragraph 5A of Schedule 6 to this Act (power of chief finance officer to direct amounts to be left out of account) also have effect for the purposes of this paragraph.

(11) For the purposes of this Schedule—

(a) "component budget" has the same meaning as in Schedule 6 to this Act;

(b) the "first draft component budget" for any constituent body is the draft component budget for that body comprised in the first draft;

(c) the "first draft component **[**[F79]council tax**]** requirement" for any constituent body is the component **[**[F79]council tax**]** requirement for the body as stated in the first draft component budget for the body.**]**

Textual Amendments

F75 Words in Sch. 7 para. 4A(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(a)**; S.I. 2011/2896, art. 2(i)

F76 Words in Sch. 7 para. 4A(2)(a) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(a)**; S.I. 2011/2896, art. 2(i)

F77 Words in Sch. 7 para. 4A(3) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(a)**; S.I. 2011/2896, art. 2(i)

F78 Words in Sch. 7 paras. 4A(5)-(9) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(a)**; S.I. 2011/2896, art. 2(i)

F79 Words in Sch. 7 para. 4A(11)(c) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(a)**; S.I. 2011/2896, art. 2(i)

The Mayor's final draft

5 (1) After—

(a) the first draft has been approved (with or without amendment) under paragraph 4 above, or

(b) such period as the Mayor considers reasonable has elapsed without the first draft having been so approved,

the Mayor shall prepare a final draft of his proposals for the substitute calculations ("the final draft").

(2) In a case falling within paragraph (b) of sub-paragraph (1) above—

(a) the Mayor shall lay before the Assembly in accordance with standing orders of the Authority a statement that he is proceeding by virtue of that paragraph; and

(b) on the laying of the statement, the Assembly shall be deemed to have approved the first draft without amendment.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) Whether the Assembly have approved the first draft with or without amendment, the final draft may be—

(a) the first draft, as approved by the Assembly, with the amendments (if any) made under paragraph 4 above;

(b) the first draft amended by the Mayor as he considers appropriate; or

(c) the same as the first draft.

(4) The Mayor shall—

(a) present the final draft to the Assembly; and

(b) publish it in such manner as he may determine.

(5) If—

(a) the Assembly approved the first draft with amendments under paragraph 4 above, but

(b) the final draft is anything other than the first draft with those amendments,

the Mayor, at the time when he presents the final draft to the Assembly, shall lay before the Assembly in accordance with standing orders of the Authority a written statement of his reasons for preparing a final draft which is not the first draft with those amendments.

Failure of Mayor to present a final draft

6 (1) This paragraph applies if the Mayor has complied with paragraph 2(3) above but has failed to comply with paragraph 5(4) above before the beginning of the period of restriction for the purposes of section 96 of this Act or section **[**[F80]52ZW**]** of the [M9]Local Government Finance Act 1992.

(2) Where this paragraph applies, a public meeting of the Assembly shall be held to determine the Authority's substitute calculations.

(3) The substitute calculations shall be agreed by the Assembly.

(4) Where this paragraph applies, the following provisions of this Schedule shall not apply in relation to the substitute calculations.

Textual Amendments

F80 Word in Sch. 7 para. 6(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 6 para. 38(3)**; S.I. 2011/2896, art. 2(i)

Marginal Citations

M9 1992 c. 14.

Approval of Mayor's final draft by Assembly

7 (1) This paragraph applies where the Mayor presents a final draft to the Assembly in accordance with paragraph 5 above.

(2) The final draft must be considered at a public meeting of the Assembly.

(3) After considering the final draft, the Assembly must approve it with or without amendment.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(4) For the purposes of sub-paragraph (3) above, the only amendments which are to be made are those agreed to by at least two-thirds of the Assembly members voting.

(5) If no amendments are made on consideration of the final draft, the final draft shall be deemed to be approved without amendment.

(6) The Authority's substitute calculations shall be those in the final draft as approved by the Assembly with the amendments (if any) made in accordance with sub-paragraphs (3) and (4) above.

[F81 Limit on Assembly's power to amend Mayor's final draft budget for the Assembly

Textual Amendments

F81 Sch. 7 para. 7A and cross-heading inserted (E.W.) (with effect in accordance with s. 59(6) of the amending Act) by Greater London Authority Act 2007 (c. 24), **ss. 14(3)**, 59(4); S.I. 2007/3107, **art. 3**

7A (1) In exercising its powers of amendment under paragraph 7 above, the Assembly must not make amendments affecting the amount of the final draft component **[**F82council tax**]** requirement for the Assembly if those amendments, taken together, contravene sub-paragraph (2) below.

(2) Amendments contravene this sub-paragraph if—

(a) the effect of implementing the amendments is to increase the amount of the final draft component **[**F83council tax**]** requirement for the Assembly, and

(b) the condition in sub-paragraph (3) below is met.

(3) The condition is that—

(a) the final draft component **[**F84council tax**]** requirement for the Assembly, after implementing the amendments,

exceeds

(b) the adjusted previous component **[**F84council tax**]** requirement for the Assembly (see sub-paragraph (5)).

(4) This paragraph is without prejudice to section 49(2) of the Local Government Finance Act 1992 (substitute amount not to exceed previous amount (but see section 49(6) of that Act)).

(5) Find the adjusted previous component **[**F85council tax**]** requirement for the Assembly as follows.

(6) Find NM and OM, where—

NM is the final draft component **[**F85council tax**]** requirement for the Mayor, before implementing any amendments under paragraph 7(3) above;

OM is the component **[**F85council tax**]** requirement for the Mayor for the previous financial year.

(7) If NM is greater than OM—

(a) find the percentage by which NM is greater than OM, and

(b) increase the amount of the component **[**F85council tax**]** requirement for the Assembly for the previous financial year by the same percentage.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

The result is the adjusted previous component **[**[F85]council tax**]** requirement for the Assembly.

(8) If NM is less than OM—

(a) find the percentage by which NM is less than OM, and

(b) reduce the amount of the component **[**[F85]council tax**]** requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component **[**[F85]council tax**]** requirement for the Assembly.

(9) If NM equals OM, then—

(a) the adjusted previous component **[**[F85]council tax**]** requirement for the Assembly,

equals

(b) the amount of the component **[**[F85]council tax**]** requirement for the Assembly for the previous financial year.

(10) Sub-paragraphs (9) to (11) of paragraph 5A of Schedule 6 to this Act (power of chief finance officer to direct amounts to be left out of account) also have effect for the purposes of this paragraph.

(11) For the purposes of this Schedule the "final draft component **[**[F86]council tax**]** requirement" for any constituent body is the component **[**[F86]council tax**]** requirement for that body as stated in the final draft.**]**

Textual Amendments

F82 Words in Sch. 7 para. 7A(1) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(b)**; S.I. 2011/2896, art. 2(i)

F83 Words in Sch. 7 para. 7A(2)(a) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(b)**; S.I. 2011/2896, art. 2(i)

F84 Words in Sch. 7 para. 7A(3) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(b)**; S.I. 2011/2896, art. 2(i)

F85 Words in Sch. 7 paras. 7A(5)-(9) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(b)**; S.I. 2011/2896, art. 2(i)

F86 Words in Sch. 7 para. 7A(11) substituted (3.12.2011) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 7 para. 41(b)**; S.I. 2011/2896, art. 2(i)

Failure of Assembly to approve final draft within 21 days

8 If the Assembly fails to approve the final draft, with or without amendment, before the end of the period of 21 days beginning with the day on which the Mayor presented the final draft, the Authority's substitute calculations shall be those in the final draft presented to the Assembly in accordance with paragraph 5 above.

Publication

9 (1) This paragraph applies where any substitute calculations are made in accordance with this Schedule.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) Where this paragraph applies, the Mayor shall as soon as practicable publish a document containing the substitute calculations.

(3) In this paragraph "relevant document" means any document required to be published under sub-paragraph (2) above.

(4) A copy of each relevant document shall be kept available for the appropriate period by the Mayor for inspection by any person on request free of charge at the principal offices of the Authority at reasonable hours.

(5) A copy of any relevant document, or any part of a relevant document, shall be supplied to any person on request during the appropriate period for such reasonable fee as the Mayor may determine.

(6) In this paragraph "the appropriate period" in the case of any document is the period of six years beginning with the date of publication of the document pursuant to this paragraph.

PROSPECTIVE

[F87]SCHEDULE 8

Section 133.

AMENDMENTS OF THE AUDIT COMMISSION ACT 1998

Textual Amendments

F87 Sch. 8 repealed (1.4.2015) by Local Audit and Accountability Act 2014 (c. 2), s. 49(1), **Sch. 1 Pt. 2**; S.I. 2015/841, art. 3(a) (with arts. 5-8, Sch.) (as amended (27.6.2016) by S.I. 2016/675, art. 2)

[F87] *Preliminary*

[F87]1 . . . . . .

[F87] *Transmission and consideration of section 8 reports*

[F87]2 . . . . . .

[F87] *Consideration of reports or recommendations*

[F87]3 . . . . . .

[F87]4 . . . . . .

[F87] *Publicity for meetings*

[F87]5 . . . . . .

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

[F87] Declaration that item of account is unlawful

[F87]6 . . . . . .

[F87] Recovery of amount not accounted for et ceteralaetc.

[F87]7 . . . . . .

[F87] Documents relating to police authorities Et ceteralaetc

[F87]8 . . . . . .

[F87] Studies of Authority by Commission at request of Mayor

[F87]9 . . . . . .

[F87] Studies of functional bodies by Commission at request of Mayor

[F87]10 . . . . . .

[F87] Restriction on disclosure of information: exceptions

[F87]11 . . . . . .

[F87] Interpretation and exercise of Authority functions by Mayor et ceteralaetc.

[F87]12 . . . . . .

[F88]SCHEDULE 9

Section 136.

. . . . . .

Textual Amendments

F88 Sch. 9 repealed (15.1.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 12**; S.I. 2012/57, art. 4(1)(ee)(iii)

SCHEDULE 10

Section 154.

TRANSPORT FOR LONDON

Status and capacity

1 (1) Transport for London shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) The members and staff of Transport for London shall not be regarded as civil servants and the property of Transport for London shall not be regarded as property of, or held on behalf of, the Crown.

(3) It shall be within the capacity of Transport for London to do such things and enter into such transactions as are calculated to facilitate, or are conducive or incidental to, the discharge of any of its functions.

Membership of Transport for London

2 (1) Subject to sub-paragraph (2), Transport for London shall consist of not less than eight nor more than **[**[F89]seventeen**]** members, all of whom shall be appointed by the Mayor.

(2) The Mayor may choose to be a member of Transport for London and where he does so he shall appoint not less than seven nor more than **[**[F90]sixteen**]** other members under sub-paragraph (1) above.

[[F91](2A) The Mayor must exercise his powers under this paragraph so as to secure that at least two members of Transport for London are able to represent the interests of the persons living, working and studying in areas outside Greater London that are served by railway passenger services in respect of which Transport for London carries out functions, or is likely to do so.**]**

(3) In appointing a person under sub-paragraph (1) above, the Mayor shall have regard to the desirability of ensuring that the members of Transport for London between them have experience in—

(a) transport (including in particular the impact of transport on business and the environment),

(b) finance and commerce,

(c) national and local government,

(d) the management of organisations, and

(e) the organisation of trade unions, or matters relating to workers generally,

and that the membership of Transport for London represents the interests in relation to transport of women and of persons who require transport which is accessible to persons with mobility problems.

[[F92](3A) Before making an appointment for the purposes of sub-paragraph (2A) above, the Mayor must consult the **[**[F93]responsible regional authorities (within the meaning of Part 5 of the Local Democracy, Economic Development and Construction Act 2009)**]** for each of the regions where the areas served by the services mentioned in that sub-paragraph are situated.**]**

[F94](4) . . . . . .

[F95](5) . . . . . .

[F96](5A) . . . . . .

(6) The terms and conditions of appointment of a member of Transport for London (including conditions as to remuneration **[**[F97]and allowances**]**) shall be such as the Mayor may determine **[**[F98](but this is subject to paragraph 3A below)**]**.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(7) The Mayor may by notice to a member of Transport for London remove that member from office.

[[F99](8) In this paragraph—

"railway passenger service" has the same meaning as in Part 1 of the Railways Act 1993; and

"regional planning body" and "region" have the same meanings as in Part 1 of the Planning and Compulsory Purchase Act 2004.**]**

Textual Amendments

F89 Word in Sch. 10 para. 2(1) substituted (8.8.2007) by Railways Act 2005 (c. 14), **ss. 17(2)**, 60(2); S.I. 2007/1993, art. 2

F90 Word in Sch. 10 para. 2(2) substituted (8.8.2007) by Railways Act 2005 (c. 14), **ss. 17(3)**, 60(2); S.I. 2007/1993, art. 2

F91 Sch. 10 para. 2(2A) inserted (8.8.2007) by Railways Act 2005 (c. 14), **ss. 17(4)**, 60(2); S.I. 2007/1993, art. 2

F92 Sch. 10 para. 2(3A) inserted (8.8.2007) by Railways Act 2005 (c. 14), **ss. 17(5)**, 60(2); S.I. 2007/1993, art. 2

F93 Words in Sch. 10 para. 2(3A) substituted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), s. 148(5), **Sch. 5 para. 11**; S.I. 2009/3318, art. 4(gg)

F94 Sch. 10 para. 2(4) repealed (E.W.) (21.1.2008) by Greater London Authority Act 2007 (c. 24), ss. 18(2)(a), 59(7), **Sch. 2**; S.I. 2008/113, art. 2(b)(m)

F95 Sch. 10 para. 2(5) repealed (E.W.) (21.1.2008) by Greater London Authority Act 2007 (c. 24), ss. 18(2)(b), 59(7), **Sch. 2**; S.I. 2008/113, art. 2(b)(m)

F96 Sch. 10 para. 2(5A) repealed (E.W.) (21.1.2008) by Greater London Authority Act 2007 (c. 24), ss. 18(2)(c), 59(7), **Sch. 2**; S.I. 2008/113, art. 2(b)(m)

F97 Words in Sch. 10 para. 2(6) inserted (E.W.) (21.1.2008) by Greater London Authority Act 2007 (c. 24), **ss. 19(2)(a)**, 59(7); S.I. 2008/113, art. 2(b)

F98 Words in Sch. 10 para. 2(6) inserted (E.W.) (21.1.2008) by Greater London Authority Act 2007 (c. 24), **ss. 19(2)(b)**, 59(7); S.I. 2008/113, art. 2(b)

F99 Sch. 10 para. 2(8) inserted (8.8.2007) by Railways Act 2005 (c. 14), **ss. 17(7)**, 60(2); S.I. 2007/1993, art. 2

Chairman and deputy chairman

3 (1) Subject to sub-paragraph (2), the Mayor shall designate—

(a) one of the members of Transport for London to be chairman of Transport for London, and

(b) another of the members to be deputy chairman of Transport for London.

(2) Where the Mayor is a member of Transport for London, he shall be the chairman.

***[**[F100]Remuneration etc not to be paid to members who are also Assembly members*

Textual Amendments

F100 Sch. 10 para. 3A inserted (E.W.) (21.1.2008) by Greater London Authority Act 2007 (c. 24), **ss. 19(3)**, 59(7); S.I. 2008/113, art. 2(b)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

3A (1) Payments by way of remuneration or allowances, other than allowances in respect of travel or subsistence, shall not be made to members of Transport for London who are also Assembly members.

(2) Sub-paragraph (1) above does not prevent the payment of an allowance under paragraph 2(6) above to the chairman or deputy chairman of Transport for London in respect of that office.**]**

Staff

4 (1) Transport for London may appoint such staff as it considers necessary for assisting it in the exercise of any of its functions.

(2) The staff of Transport for London shall be appointed on such terms and conditions (including conditions as to remuneration) as Transport for London shall determine.

Proceedings of Transport for London

5 (1) Subject to the provisions of this Schedule, Transport for London may regulate its own procedure and that of committees of Transport for London and sub-committees of such committees (and in particular may specify a quorum for meetings).

(2) The validity of any proceedings of Transport for London shall not be affected—

(a) by any vacancy among the members or in the office of chairman or deputy chairman, or

(b) by any defect in the appointment of any person as a member, or as chairman or deputy chairman, of Transport for London.

Membership of committees and sub-committees

6 (1) A committee of Transport for London or a sub-committee of such a committee may include persons who are not members of Transport for London.

(2) A person who is a member of a committee of Transport for London or a sub-committee of such a committee but is not a member of Transport for London shall be a non-voting member of the committee or sub-committee.

Delegation by Transport for London

7 (1) Subject to any express provision contained in this Act or any Act passed after this Act, Transport for London may arrange for any of its functions to be discharged on its behalf by—

(a) any committee of Transport for London,

(b) any sub-committee of such a committee,

(c) any wholly owned subsidiary (**[**[F101]as defined in section 1159 of the Companies Act 2006**]**) of Transport for London,

(d) any member or officer of Transport for London, or

(e) any body of members or officers, or members and officers, of Transport for London.

(2) Where Transport for London makes arrangements under this paragraph for the discharge of any function, the person or body by whom the function is to be

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

discharged shall exercise the function subject to any conditions imposed by Transport for London.

(3) Arrangements made by Transport for London for the discharge of functions under this paragraph shall not prevent Transport for London from exercising those functions.

Textual Amendments

F101 Words in Sch. 10 para. 7(1)(c) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(7)** (with art. 10)

Delegation by committees, sub-committees, etc

8 (1) Where Transport for London makes arrangements for the discharge of any function by a committee under paragraph 7 above, the committee may (subject to any conditions imposed by Transport for London) arrange for the discharge of the function on its behalf by—

(a) any sub-committee of the committee,

(b) any member or officer of Transport for London, or

(c) any body of members or officers, or members and officers, of Transport for London.

(2) Where—

(a) Transport for London makes arrangements for the discharge of any function by a sub-committee under paragraph 7 above, or

(b) a committee of Transport for London makes arrangements for the discharge of any function by a sub-committee under sub-paragraph (1) above,

the sub-committee may (subject to any conditions imposed by Transport for London or the committee) arrange for the discharge of the function on its behalf by any member or officer of Transport for London, or any body of members or officers, or members and officers, of Transport for London.

(3) Where a committee or sub-committee makes arrangements under this paragraph for the discharge of any function, the person or body by whom the function is to be discharged shall exercise the function subject to any conditions imposed by the committee or sub-committee.

(4) Arrangements made by a committee or sub-committee for the discharge of functions under this paragraph shall not prevent the committee or sub-committee from exercising those functions.

Joint committees with local authorities

9 (1) Transport for London shall be treated as a local authority for the purposes of the following provisions of the [M10]Local Government Act 1972 (arrangements for discharge of functions of a local authority by joint committees with other local authorities)—

(a) section 101(5),

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) section 102 apart from subsection (1)(a) and subsection (4) to the extent that it would permit Transport for London to appoint a committee which is not a joint committee, and

(c) section 103.

(2) Nothing in section 13 of the [M11]Local Government and Housing Act 1989 shall require a person to be treated as a non-voting member of a committee appointed by Transport for London and one or more other local authorities by virtue of section 101(5) of the [M12]Local Government Act 1972 if that person—

(a) is appointed to the committee by Transport for London, and

(b) is not a member of Transport for London.

Marginal Citations

M10 1972 c. 70.

M11 1989 c. 42.

M12 1972 c. 70.

Minutes

10 (1) Minutes shall be kept of proceedings of Transport for London, of its committees and of sub-committees of such committees.

(2) Minutes of any such proceedings shall be evidence of those proceedings if they are signed by a person purporting to have acted as chairman of the proceedings to which the minutes relate or of any subsequent proceedings in the course of which the minutes were approved as a correct record.

(3) Where minutes of any such proceedings have been signed as mentioned in sub-paragraph (2) above, those proceedings shall, unless the contrary is shown, be deemed to have been validly convened and constituted.

Application of seal and proof of instruments

11 (1) The application of the seal of Transport for London shall be authenticated by the signature of any member, officer or member of staff of Transport for London who has been authorised for the purpose, whether generally or specially, by Transport for London.

(2) In sub-paragraph (1) above the reference to the signature of a person includes a reference to a facsimile of a signature by whatever process reproduced; and, in paragraph 12 below, the word “signed” shall be construed accordingly.

Documents served etc by or on Transport for London

12 (1) Any document which Transport for London is authorised or required by or under any enactment to serve, make or issue may be signed on behalf of Transport for London by any member, officer or member of staff of Transport for London who has been authorised for the purpose, whether generally or specially, by Transport for London.

(2) Every document purporting to be an instrument made or issued by or on behalf of Transport for London and to be duly executed under the seal of Transport for London, or to be signed or executed by a person authorised by Transport for London for the

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

purpose, shall be received in evidence and be treated, without further proof, as being so made or so issued unless the contrary is shown.

(3) Any notice which is required or authorised, by or under any provision of any other Act, to be given, served or issued by, to or on Transport for London shall be in writing.

Members' interests

13 (1) If a member of Transport for London has any interest, whether direct or indirect, and whether pecuniary or not, in any matter that is brought up for consideration at a meeting of Transport for London he shall disclose the nature of the interest to the meeting; and, where such a disclosure is made—

(a) the disclosure shall be recorded in the minutes of the meeting; and

(b) the member shall not take any part in any deliberation or decision of Transport for London, or any of its committees or sub-committees, with respect to that matter.

(2) A member need not attend in person at a meeting of Transport for London in order to make a disclosure which he is required to make under this paragraph if he takes reasonable steps to secure that the disclosure is made by a notice which is read and considered at the meeting.

(3) The Mayor may, subject to such conditions as he considers appropriate, remove any disability imposed by virtue of this paragraph in any case where the number of members of Transport for London disabled by virtue of this paragraph at any one time would be so great a proportion of the whole as to impede the transaction of business.

(4) The power of the Mayor under sub-paragraph (3) above includes power to remove, either indefinitely or for any period, a disability which would otherwise attach to any member, or members of any description, by reason of such interests, and in respect of such matters, as may be specified or described by the Mayor.

(5) Where the Mayor exercises the power under sub-paragraph (3) above to remove a disability—

(a) he shall notify Transport for London that he has done so, and of his reasons for doing so, and

(b) the removal of the disability and the Mayor's reasons shall be recorded in the minutes of Transport for London.

(6) If any person fails to comply with the provisions of sub-paragraph (1) above, he shall for each offence be liable on summary conviction to a fine not exceeding level 4 on the standard scale unless he proves that he did not know that the contract, proposed contract or other matter in which he had the interest was the subject of consideration at the meeting.

(7) A prosecution for an offence under this paragraph shall not be instituted except by or on behalf of the Director of Public Prosecutions.

(8) Transport for London may provide for the exclusion of a member from a meeting of Transport for London while any contract, proposed contract or other matter in which he has such an interest as is mentioned in sub-paragraph (1) above is under consideration.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(9) Section 95 of the [M13]Local Government Act 1972 (pecuniary interests for the purposes of section 94) shall apply for the purposes of this paragraph as it applies for the purposes of that section.

(10) Section 96 of that Act (general notices and recording of disclosures for the purposes of section 94) shall apply for the purposes of this paragraph, but taking—
- (a) any reference to a proper officer of the authority as a reference to an officer appointed by Transport for London for the purpose;
- (b) any reference to a member of the authority as a reference to a member of Transport for London;
- (c) any reference to premises owned by the authority as a reference to premises owned by Transport for London; and
- (d) any reference to section 94 of that Act as a reference to this paragraph.

(11) Subsections (4) and (5) of section 97 of that Act (disregard of certain interests for the purposes of section 94) shall apply in relation to this paragraph as they apply in relation to section 94 of that Act, but as if—
- (a) the members of Transport for London were members of a local authority; and
- (b) in subsection (5), for "a pecuniary interest" there were substituted " an interest (whether pecuniary or not) ".

(12) Section 19 of the [M14]Local Government and Housing Act 1989 (members' interests) shall apply as if—
- (a) Transport for London were a local authority;
- (b) the members of Transport for London were the members of that local authority;
- (c) an officer appointed by Transport for London for the purpose were the proper officer of that local authority,
- (d) any reference to a pecuniary interest were a reference to an interest, whether pecuniary or not; and
- (e) any reference to section 94 of the [M15]Local Government Act 1972 were a reference to this paragraph.

Marginal Citations

M13 1972 c. 70.
M14 1989 c. 42.
M15 1972 c. 70.

SCHEDULE 11

Section 156.

MISCELLANEOUS POWERS OF TRANSPORT FOR LONDON

Carriage and storage

1 (1) Transport for London may carry passengers by any form of land or water transport (including in either case hovercraft) within, to or from Greater London.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) Transport for London may carry passengers as mentioned in sub-paragraph (1) above between places outside Greater London, in so far as Transport for London considers it requisite to do so—

(a) in connection with the exercise of its powers under that sub-paragraph; or

(b) in order to avoid an interruption of services provided by London Regional Transport in exercise of its powers under paragraph 1(2)(b) of Schedule 2 to the [M16]London Regional Transport Act 1984 (provision of services outside Greater London to avoid interruption of services formerly provided by the London Transport Executive under the [M17]Transport (London) Act 1969).

(3) Transport for London may also carry luggage and other goods.

Marginal Citations

M16 1984 c. 32.

M17 1969 c. 35.

2 (1) Transport for London may enter into arrangements with any person providing passenger transport services by air for the provision of such services between places in Greater London or between such places and places outside Greater London.

(2) Without prejudice to its powers under section 156 of this Act, Transport for London may enter into arrangements with any person operating a business of providing passenger vehicles for hire (whether with or without the services of a driver, and whether under private hire arrangements or by way of plying for public hire), for that person to make passenger vehicles operated by him available for hire, or for use in accordance with the arrangements, on such terms and in such manner as may be provided for by the arrangements, in or between places in Greater London or between such places and places outside Greater London.

(3) Any arrangements under this paragraph may include provision for the making of payments by Transport for London to the other party to the arrangements.

3 (1) Transport for London may store within Greater London or in any premises of Transport for London outside Greater London goods which have been or are to be carried by Transport for London or a subsidiary of Transport for London.

(2) So far as any premises provided for the purpose of discharging that or any other function of Transport for London are not required for that purpose, Transport for London may use those premises to provide facilities for the storage of other goods.

Incidental amenities and facilities

4 Transport for London may provide amenities or facilities, and construct works, for the purpose of making those amenities, facilities or works available for the use of any other person in pursuance of any agreement under section 156(6).

5 (1) Transport for London may provide such amenities and facilities as it considers would benefit persons using—

(a) any services or facilities provided by Transport for London, by any subsidiary of Transport for London, or by any other person in pursuance of any agreement entered into by Transport for London by virtue of

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

section 156(2) or (3)(a) of this Act or in pursuance of a transport subsidiary's agreement; or

(b) any other London passenger services or London connecting services.

(2) Without prejudice to its powers under sub-paragraph (1) above, Transport for London may provide car parks and amenities or facilities for persons using them at any place convenient for prospective users of any services falling within sub-paragraph (1)(a) or (b) above.

(3) Transport for London may provide facilities for the parking or keeping of any public service vehicles used in the provision of any London passenger service or London connecting service at any place convenient for persons providing any such service.

(4) In this paragraph—

"London passenger service" means any service for the carriage of passengers within, to or from Greater London (whether or not provided by Transport for London, by any subsidiary of Transport for London, or by any such other person as is mentioned in sub-paragraph (1)(a) above); and

"London connecting service" means any service for the carriage of passengers to or from any place outside Greater London but convenient for prospective users of London passenger services or for persons seeking to transfer from London passenger services to services for the carriage of passengers to destinations further afield (including destinations outside the United Kingdom).

6 (1) Where by virtue of any provision of paragraph 4 or 5 above Transport for London has power to provide any amenities or facilities (including any amenities or facilities of a particular description specifically mentioned in any such provision), Transport for London may enter into arrangements for the provision (including the management or operation) or (as the case may be) for the management or operation of any such amenities or facilities by any other person.

(2) Any arrangements under this paragraph may include provision for the making of payments by Transport for London to, or for the giving of guarantees or any other financial assistance by Transport for London for the benefit of, the other party to the arrangements.

(3) References in this Act to amenities or facilities provided by Transport for London include amenities or facilities provided, or managed or operated, by any other person in pursuance of arrangements under this paragraph.

Charges for services and facilities

7 (1) Transport for London may make (or waive) such charges for services and facilities and make the use of services and facilities subject to such terms and conditions, as Transport for London thinks fit.

(2) Transport for London's power under sub-paragraph (1) above is subject only to the provisions of this Act and to any local enactment so far as that local enactment expressly provides for freedom from charges or otherwise prohibits the making of any charge (as distinct from limiting the discretion of persons carrying on any particular undertaking as to the charges of any description to be made by them).

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Machinery and components

8 (1) Transport for London may manufacture and repair any spare parts and components or other supplementary machinery or equipment required for the purpose of the operation or repair of any existing vehicles or other equipment of Transport for London or of any subsidiary of Transport for London.

(2) Transport for London may repair any vehicles or other equipment, whether owned by Transport for London or any subsidiary of Transport for London or by any other person, and for the purpose of repairing any vehicle or equipment not belonging to Transport for London may supply any necessary parts and components for that vehicle or equipment.

(3) In this paragraph—

(a) references to manufacture include references to construction and production; and

(b) references to repair include references to maintenance.

Technical assistance and advice

9 (1) Transport for London may provide for any person professional or technical advice or assistance, including research and other services, as respects any matter in which Transport for London has skill, experience or expertise.

(2) Transport for London may, on the request of any person for whom it is providing advice or assistance under sub-paragraph (1) above, establish for that person an undertaking carrying on any business in which Transport for London has skill or experience and manage it on that person's behalf.

(3) Transport for London may make such charges as it thinks fit in respect of anything done in exercise of its powers under this paragraph.

10 (1) In this paragraph—

(a) "relevant passenger service" means any London passenger service or London connecting service within the meaning of paragraph 5 above which is provided by any form of land or water transport (including, in either case, hovercraft); and

(b) "independent service" means any relevant passenger service provided otherwise than by Transport for London or by any of its subsidiaries.

(2) Transport for London may enter into arrangements with any person providing independent services for the reciprocal provision, on such terms as may be provided for by the arrangements, of ancillary services by each party to the arrangements in respect of any relevant passenger services provided by the other.

(3) In sub-paragraph (2) above, "ancillary services" includes, in relation to any relevant passenger services, the sale of tickets for the carriage of passengers on those services, the reservation of seats in vehicles used in the provision of those services and the provision of information about those services to members of the general public.

Exploitation of commercial opportunities

11 Transport for London may let vehicles on hire.

12 (1) Transport for London may dispose (whether absolutely or for a term of years) of any part of its undertaking or any property which in the opinion of the Mayor is

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

not required by Transport for London for the purposes of the discharge by Transport for London of any of its functions and, in particular, may dispose of any interest in, or right over, any property which, subject to that interest or right, is retained by Transport for London.

(2) Transport for London may supply to any person spare parts and components for passenger road vehicles disposed of by Transport for London in the exercise of its powers under sub-paragraph (1) above, or by a subsidiary of Transport for London, as being no longer required for the purposes of the discharge by Transport for London of any of its functions.

13 Transport for London may—

(a) invest sums not immediately required for the purposes of the discharge by Transport for London of any of its functions,

(b) turn its resources to account so far as not required for those purposes, and

(c) spend such sums as it considers reasonable in the exploitation of commercial opportunities arising from the activities it carries on in the discharge of its functions.

Intermodal freight facilities

14 Transport for London may provide and maintain facilities for the transfer of freight—

(a) from a railway to any other mode of transport,

(b) to a railway from any other mode of transport,

(c) from a waterway to any other mode of transport,

(d) to a waterway from any other mode of transport.

Acquisition, disposal and development of land

15 (1) Transport for London may develop its land in such manner as it thinks fit.

(2) Transport for London may in particular—

(a) develop for use by other persons land belonging to Transport for London which is not required for the purposes of the discharge by Transport for London of any of its functions, and

(b) where the use of Transport for London's land for the purposes of the discharge by Transport for London of any of its functions can be combined with its use by other persons, develop the land by constructing or adapting buildings on it for use wholly or partly by other persons,

with a view to the disposal of any right or interest in the land or (as the case may be) the buildings or any part of the buildings after the development is carried out.

(3) Where Transport for London proposes under this paragraph to develop any land for use otherwise than for the purposes of discharging any of its functions it may acquire by agreement other land in the vicinity for the purpose of developing it together with that land.

16 Transport for London may grant an interest to any person in any land which it uses for the purposes of discharging any of its functions.

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

PROSPECTIVE

17 Subject to paragraph 20 below, where Transport for London has an interest in land which is used otherwise than for the purposes of discharging any of its functions, it may acquire by agreement additional interests in that land in order better to exploit the interest which it already has in that land.

18 (1) Subject to paragraph 20 below, Transport for London may acquire land for the purposes of discharging any of its functions (including the rehousing **[**[F102]or relocating**]** of the occupiers of dwellings **[**[F103]or other properties**]** acquired or to be acquired by Transport for London **[**[F104]or a subsidiary of Transport for London**]**).

(2) The power of Transport for London to acquire land under sub-paragraph (1) above includes a power to purchase land which Transport for London has no immediate plans to use or develop.

(3) Transport for London may acquire land by agreement for the purposes of any agreement entered into by it under section 156(2) or (3) of this Act or of any transport subsidiary's agreement.

(4) Where Transport for London proposes to dispose of any of its land it may acquire by agreement land in the vicinity for the purpose of disposing of it together with the other land.

Textual Amendments

F102 Words in Sch. 11 para. 18(1) inserted (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), **50(a)**

F103 Words in Sch. 11 para. 18(1) inserted (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), **50(b)**

F104 Words in Sch. 11 para. 18(1) inserted (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), **50(c)**

19 (1) Subject to the following provisions of this paragraph and paragraph 20 below, the Secretary of State may authorise Transport for London to purchase compulsorily any land which is required by Transport for London or a subsidiary of Transport for London for the purposes of the discharge of any function.

(2) The [M18]Acquisition of Land Act 1981 shall apply to any compulsory purchase by virtue of sub-paragraph (1) above.

(3) Transport for London shall not by virtue of sub-paragraph (1) above submit to the Secretary of State a compulsory purchase order authorising the acquisition of any land in accordance with section 2(2) of the Acquisition of Land Act 1981 unless the Mayor has given his consent.

(4) Activities carried on by Transport for London by virtue of paragraph 9 above shall not be treated for the purposes of sub-paragraph (1) above as the discharge by Transport for London of any of its functions.

(5) This paragraph does not authorise Transport for London to purchase compulsorily land which it has power to acquire by agreement under paragraph 15(3) or 18(3) or (4) above.

(6) Subject to sub-paragraph (7) below, the power of purchasing land compulsorily in this paragraph includes power to acquire an easement or other right over land by the creation of a new right.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(7) Sub-paragraph (6) above does not apply to an easement or other right over land which forms part of a common, open space or fuel or field garden allotment within the meaning of section 19 of the [M19]Acquisition of Land Act 1981.

Marginal Citations

M18 1981 c. 67.

M19 1981 c. 67.

20 Except as provided by **[**[F105]section 403A, 403B or**]** paragraph 15(3), 17 or 18(3) or (4) above, Transport for London does not have power to acquire land (or any interest in land) for purposes which are not related to any of the activities, other than the development of land, of Transport for London or any subsidiary of Transport for London.

Textual Amendments

F105 Words in Sch. 11 para. 20 inserted (E.W.) (22.9.2017) by Neighbourhood Planning Act 2017 (c. 20), **ss. 36(3)**, 46(1); S.I. 2017/936, reg. 3(f)

21 Where any activities for which provision is made by an agreement under section 156(2) or (3) of this Act or under a transport subsidiary's agreement cease to be carried on by the other party (whether by reason of the expiry or termination of the agreement or otherwise), Transport for London may—

(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 156(3) of this Act or of a transport subsidiary's agreement falling within section 169(3) above, itself carry on those activities notwithstanding that it would not otherwise have power to do so.

Research and development of policies

22 (1) Transport for London may do anything which appears to it to be practicable and desirable for the purpose of promoting—

(a) research into matters affecting, or arising out of, the exercise of the functions of Transport for London or any of its subsidiaries, and

(b) the exploitation of the results of any research into any such matter (whether or not promoted by Transport for London) and of anything resulting from any idea affecting, or arising out of, the exercise of any of those functions.

(2) In paragraph (1)(b) above "exploitation" means the doing of any work requisite to enable the results or (as the case may be) the thing in question to be turned to account.

(3) Transport for London may exercise the powers under sub-paragraph (1) above by carrying out any research or work for that purpose itself or by arranging for it to be carried out or done by some other person with or without assistance (including financial assistance) from Transport for London.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(4) Nothing in this paragraph authorises Transport for London, either directly or through a subsidiary of Transport for London, to do any work which it would not have power to do apart from this paragraph.

Welfare and efficiency of employees

23 (1) Transport for London may do anything it thinks fit for the purpose of advancing—

(a) the skill of persons employed by Transport for London or by any subsidiary of Transport for London;

(b) the efficiency of the equipment of Transport for London or of any subsidiary of Transport for London or of the manner in which that equipment is operated;

including providing, or assisting others in providing, facilities for training, education and research.

(2) Transport for London may provide houses, hostels and other similar accommodation for persons employed by Transport for London or by any subsidiary of Transport for London.

Acquisition of undertakings etc

24 Transport for London may acquire any undertaking or part of an undertaking if the assets comprised in the undertaking or the part of the undertaking are wholly or mainly assets which Transport for London requires for the purposes of discharging any of its functions.

25 For the purposes of discharging any of its functions, Transport for London may subscribe for or acquire any securities of a body corporate.

Byelaws for railways

26 (1) Transport for London may make byelaws regulating—

(a) the use and working of its railways;

(b) travel on its railways;

(c) the maintenance of order on its railways and railway premises, including stations and the approaches to stations;

(d) the conduct of all persons while on those premises, including officers and employees of Transport for London.

(2) Byelaws made by Transport for London by virtue of sub-paragraph (1) above may include in particular byelaws—

(a) with respect to tickets issued for entry on its railway premises or travel on its railways and the evasion of payment of fares and other charges;

(b) with respect to interference with or obstruction of the working of the railways;

(c) with respect to the smoking of tobacco in railway carriages and elsewhere;

(d) with respect to the prevention of nuisances;

(e) with respect to the receipt and delivery of goods;

(f) for regulating the passage of bicycles and other vehicles on footways and other premises controlled by Transport for London and intended for the use of pedestrians.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) Any byelaws made by virtue of sub-paragraph (1) above may provide that any person contravening them shall be liable on summary conviction to a fine for each offence not exceeding level 3 on the standard scale or not exceeding a lesser amount.

(4) Where the contravention of a byelaw made by virtue of sub-paragraph (1) above causes—

(a) danger or annoyance to the public, or

(b) hindrance to Transport for London in the lawful use of its railway,

Transport for London may summarily interfere to obviate or remove the danger, annoyance or hindrance.

(5) Anything done by Transport for London under sub-paragraph (4) above is without prejudice to the taking of summary proceedings under sub-paragraph (3) above.

(6) Subsections (5) to (12) of section 67 of the [M20]Transport Act 1962 (byelaws for railways etc.) shall apply in relation to byelaws made by Transport for London by virtue of sub-paragraph (1) above as they apply to byelaws made under that section but taking references in those subsections to the Board as references to Transport for London.

(7) For the purposes of this paragraph—

(a) railways, railway premises, officers or employees of a subsidiary of Transport for London shall be deemed to be railways, railway premises, officers or employees of Transport for London, and

(b) footways and other premises controlled by a subsidiary of Transport for London shall be deemed to be footways and other premises controlled by Transport for London.

Modifications etc. (not altering text)

C5 Sch. 11 para. 26 extended (15.7.2003) by The Transport for London (Consequential Provisions) Order 2003 (S.I. 2003/1615), arts. 1(1), **3**

C6 Sch. 11 para. 26(1)-(3) modified (13.3.2012) by The London Cable Car Order 2012 (S.I. 2012/472), arts. 1, **6(1)**

C7 Sch. 11 para. 26(4)(5) applied (with modifications) (13.3.2012) by The London Cable Car Order 2012 (S.I. 2012/472), arts. 1, **6(2)**

Marginal Citations

M20 1962 c. 46.

Byelaws for landing places

27 (1) Subject to sub-paragraphs (2) and (3) below, Transport for London may make and enforce byelaws for regulating or controlling the use of any landing place which is vested in or operated by it or any of its subsidiaries.

(2) Sub-paragraph (1) above does not apply to any landing place for which the Port of London Authority has power to make byelaws under section 161 of the [M21]Port of London Act 1968 (byelaws for port premises).

(3) No byelaw made by Transport for London under sub-paragraph (1) above shall conflict or interfere with the operation of any byelaw made by the Port of London

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Authority under section 162(1)(b) or (e) of the [M22]Port of London Act 1968 (Thames byelaws).

(4) The power conferred by sub-paragraph (1) above includes the power to make and enforce byelaws specifying—

(a) persons or descriptions of persons who, or

(b) vessels or descriptions of vessels which,

may or may not use a landing place.

(5) A person who contravenes a byelaw made under this paragraph shall be liable, on summary conviction, to a fine not exceeding level 2 on the standard scale.

(6) For the purposes of this paragraph, "landing place" means any waterside landing place, wharf, pier, jetty, pontoon, causeway, hard, footway or other installation, and includes any associated buildings and approaches to it over and from land.

(7) This paragraph is without prejudice to the provisions of any other enactment.

Marginal Citations

M21 1968 c. xxxii.

M22 1968 c. xxxii.

Museums

28 (1) Transport for London may provide and maintain a museum of transport artefacts, records and other exhibits and may do anything necessary or expedient for or in connection with the provision or maintenance of the museum.

(2) Transport for London may make a charge for admission to a museum maintained by it.

Supplementary

29 If Transport for London engages, either directly or through a subsidiary, in any activities authorised by paragraph 11 or 15(2) or (3) above, it shall in carrying on those activities act as if it were a company engaged in a commercial enterprise or (as the case may be) shall exercise its control over that subsidiary so as to ensure that the subsidiary in carrying on those activities acts as a company so engaged.

30 Any specific power conferred on Transport for London by or by virtue of any provision of this Act to make any loan or give any guarantee or to subscribe for or acquire any securities shall not affect the power of Transport for London—

(a) to lend money by way of investment or to subscribe for or acquire securities by way of investment; or

(b) to leave outstanding any loan made or guarantee given, or to retain any securities acquired, by London Regional Transport or by any predecessor in title of London Regional Transport.

Miscellaneous

31 (1) Neither Transport for London nor any subsidiary of Transport for London shall be regarded as a common carrier by rail or inland waterway.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) No local enactment passed or made with respect to any particular undertaking so far as it imposes on persons carrying on that undertaking—

(a) a duty to connect, or afford facilities for the connection of, any siding to a railway; or

(b) a duty to permit privately owned railway wagons to be used on a railway owned or operated by them; or

(c) a duty (otherwise than to a named person, or to the successor of a named person, or for the benefit of specified lands) to provide or maintain any other railway services or facilities (including the provision of stations, sidings or carriages and of any services, facilities or amenities connected with stations, sidings or carriages);

or so far as it otherwise makes provision corresponding to any of the repealed enactments, shall apply to Transport for London.

(3) The reference in sub-paragraph (2) above to the repealed enactments is a reference to the following enactments, that is to say—

section 76 of the [M23]Railways Clauses Consolidation Act 1845;

section 69 of the [M24]Railways Clauses Consolidation (Scotland) Act 1845;

sections 2 and 7 of the [M25]Railway and Canal Traffic Act 1854;

sections 16 and 39 of the [M26]Railways Act 1921;

section 30 of the [M27]London Passenger Transport Act 1933;

section 39 of the [M28]Road and Rail Traffic Act 1933; and

section 22 of the [M29]Transport Act 1953;

all of which made provision with respect to transport charges and facilities and were repealed by the [M30]Transport Act 1962.

Marginal Citations

M23 1845 c. 20.
M24 1845 c. 33.
M25 1854 c. 31.
M26 1921 c. 55.
M27 1933 c. 14.
M28 1933 c. 53.
M29 1953 c. 13.
M30 1962 c. 46.

Other powers

32 Transport for London may do all other things which in its opinion are necessary or expedient to facilitate the discharge by it of any of its functions, including the securing of the performance of any agreement entered into by it under section 156 of this Act or of any transport subsidiary's agreement.

33 Transport for London may do anything necessary for the purpose of fulfilling a contract which by virtue of section 300 or 415 of this Act has effect as if made by Transport for London, notwithstanding that apart from this paragraph Transport for London would not have power to do that thing.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

SCHEDULE 12

Sections 165 and 217.

TRANSPORT FOR LONDON TRANSFER SCHEMES

Interpretation

1 In this Schedule—

"transfer scheme" means—

(a) a scheme under section 165 of this Act; or

(b) a scheme under section 217 of this Act;

"transferor" means the person from whom property, rights or liabilities are transferred by a transfer scheme;

"transferee" means a person to whom any such property, rights or liabilities are so transferred.

Contents of transfer schemes

2 (1) The property, rights and liabilities which may be transferred by a transfer scheme include—

(a) property, rights and liabilities which would not otherwise be capable of being transferred or assigned; and

(b) rights and liabilities under enactments.

(2) No right of reverter, right of pre-emption, right of forfeiture, right of re-entry, right to compensation, option or similar right affecting any land or other property shall operate or become exercisable as a result of any transfer of land or other property by virtue of a transfer scheme whether or not any consent required to the transfer has been obtained.

(3) No right to terminate or vary a contract or instrument shall operate or become exercisable, and no provision of a contract or relevant document shall operate or become exercisable or be contravened, by reason of any transfer by virtue of a transfer scheme.

(4) For purposes connected with any transfers (including transfers of rights and liabilities under an enactment) made by virtue of a transfer scheme, or by virtue of an instrument or agreement made in connection with a transfer scheme, a body or person to which anything is transferred by any such transfer is to be treated as the same person in law as the body or person from which that thing is transferred, except as otherwise provided in the transfer scheme, instrument or agreement.

(5) Sub-paragraph (4) above is without prejudice to section 415 of this Act or any other provision made by or under this Act which makes transitional provision in relation to a transfer.

(6) Sub-paragraphs (2) to (5) above shall have effect in relation to—

(a) the grant or creation of an estate or interest in, or right over, any land or other property, or

(b) the doing of any other thing in relation to land or other property,

as they have effect in relation to a transfer of land or other property.

(7) In this paragraph, "relevant document" means—

(a) any enactment, other than an enactment contained in this Act;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) any subordinate legislation made otherwise than under this Act; or
(c) any deed or other instrument.

Modifications etc. (not altering text)
C8 Sch. 12 para. 2(3) excluded (10.7.2003) by Railways and Transport Safety Act 2003 (c. 20), **s. 114(4)**

Apportionment and division

3 (1) A transfer scheme may make provision for the apportionment or division of any property, rights or liabilities.

(2) Where a transfer scheme makes provision for the apportionment or division between two or more persons of any rights or liabilities under a contract, the contract shall have effect, as from the coming into force of the provision, as if it constituted two or more separate contracts separately enforceable by and against each of those persons respectively as respects the part of the rights or liabilities which falls to him as a result of the apportionment or division.

Definition of the property, rights and liabilities transferred

4 A transfer scheme may define the property, rights and liabilities to be transferred—
(a) by specifying or describing them;
(b) by referring to all (or all except anything specified or described) of the property, rights and liabilities comprised in a specified part of the undertaking of the transferor; or
(c) partly in the one way and partly in the other.

Other provision that may be made by a transfer scheme

5 (1) The provision that may be made by a transfer scheme includes provision—
(a) for the creation, in relation to any land or other property which the scheme transfers, of an estate or interest in or right over the property in favour of the transferor;
(b) for the creation, in favour of a transferee, of an estate or interest in or right over any land or other property retained by the transferor or transferred by the scheme to another transferee;
(c) for the creation of rights or liabilities as between two or more transferees or as between one or more transferees and the transferor;
(d) for any rights or liabilities specified or described in the scheme to be, or to be to any extent, enforceable by or against two or more transferees, or by or against one or more transferees and the transferor;
(e) for imposing on the transferor or a transferee an obligation to enter into written agreements with, or execute other instruments in favour of, the transferor, or that or any other transferee, or such other person as may be specified in the scheme.

(2) The provision that may be made by a transfer scheme includes provision for transfers to take effect at such time of day as may be specified in the order.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Power to make supplementary etc provision

6 A transfer scheme may make such supplementary, incidental, consequential or transitional provision, or savings, as Transport for London considers appropriate.

Functions under local Acts or Transport and Works Act orders

7 (1) A transfer scheme may provide that any functions of the transferor under a relevant statutory provision—
- (a) shall be transferred to the transferee;
- (b) shall be concurrently exercisable by two or more transferees; or
- (c) shall be concurrently exercisable by the transferor and one or more transferees.

(2) Sub-paragraph (1) above applies in relation to any function under a relevant statutory provision if and to the extent that the relevant statutory provision—
- (a) relates to any property which is to be transferred by the scheme; or
- (b) authorises the carrying out of works designed to be used in connection with any such property or the acquisition of land for the purpose of carrying out any such works.

(3) A transfer scheme which makes provision by virtue of this paragraph shall not have effect unless and until it is confirmed by an order made by the Secretary of State.

(4) In this paragraph "relevant statutory provision" means any provision, whether of a general or of a special nature, contained in, or in any document made or issued under—
- (a) any local Act; or
- (b) any order under the [M31]Transport and Works Act 1992.

Commencement Information

I3 Sch. 12 para. 7 wholly in force at 3.7.2000: Sch. 12 para. 7 in force at Royal Assent for certain purposes see s. 425(2); Sch. 12 para. 7 in force at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(C), **Sch. Pt. 3**

Marginal Citations

M31 1992 c. 42.

Effect of transfer scheme

8 On the date appointed by a transfer scheme, the property, rights and liabilities which are the subject of the scheme shall, by virtue of this paragraph, be transferred in accordance with the provisions of the scheme.

Continuity

9 (1) Nothing in this Act affects the validity of anything done by or in relation to the transferor in connection with anything transferred by a transfer scheme.

(2) There may be continued by or in relation to the transferee anything (including legal proceedings) which—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) relates to anything transferred by a transfer scheme, and
(b) is in the process of being done by or in relation to the transferor immediately before the transfer takes effect.

(3) Anything which—
(a) was done by the transferor for the purposes of or otherwise in connection with anything transferred by a transfer scheme, and
(b) is in effect immediately before the transfer takes effect,
shall have effect as if done by the transferee.

(4) The transferee shall be substituted for the transferor in any instruments, contracts or legal proceedings which—
(a) relate to anything transferred by a transfer scheme, and
(b) are made or commenced before the transfer takes effect.

(5) Any reference in this paragraph to anything done by or in relation to the transferor includes a reference to anything which by virtue of any enactment is treated as having been done by or in relation to the transferor.

Transfer of employees

10 (1) This paragraph applies where a person employed by the transferor becomes an employee of the transferee by virtue of a transfer scheme.

(2) Anything done by or in relation to the transferor in respect of the employee before the day on which the transfer takes effect shall be treated on and after that day as done by or in relation to the transferee.

(3) For the purposes of Part XI of the [M32]Employment Rights Act 1996 (redundancy payments etc) the employee shall not be regarded as having been dismissed by virtue of the transfer.

(4) For the purposes of that Act—
(a) the employee's period of employment with the transferor shall count as a period of employment with the transferee; and
(b) the change of employment shall not break the continuity of the period of employment.

Marginal Citations
M32 1996 c. 18.

Provision of information to Transport for London

11 (1) Where Transport for London proposes to make a transfer scheme under section 217 of this Act, it may direct any person to whom, or from whom, property is to be transferred under the scheme—
(a) to provide Transport for London with such information as Transport for London considers necessary to enable it to make the scheme; and
(b) to do so within such time (being not less than 28 days from the giving of the direction) as may be specified in the direction.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) If a person fails to comply with a direction under sub-paragraph (1) above, Transport for London may serve a notice on him requiring him—

(a) to produce to Transport for London, at a time and place specified in the notice, any documents which are specified or described in the notice and are in his custody or under his control; or

(b) to provide to Transport for London, at a time and place and in the form and manner specified in the notice, such information as may be specified or described in the notice.

(3) No person shall be required under this paragraph—

(a) to produce any documents which he could not be compelled to produce in civil proceedings in the court; or

(b) in complying with any requirement for the provision of information, to provide any information which he could not be compelled to give in evidence in any such proceedings.

(4) A person who without reasonable excuse fails to do anything required of him by a notice under sub-paragraph (2) above is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(5) A person who intentionally alters, suppresses or destroys any document which he has been required to produce by a notice under sub-paragraph (2) above is guilty of an offence and liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum; or

(b) on conviction on indictment, to a fine.

(6) If a person makes default in complying with a notice under sub-paragraph (2) above, the court may, on the application of Transport for London, make such order as the court thinks fit for requiring the default to be made good.

(7) Any such order may provide that all the costs or expenses of and incidental to the application shall be borne by the person in default or by any officers of a company or other association who are responsible for its default.

(8) In this paragraph—

(a) any reference to the production of a document includes a reference to the production of a legible and intelligible copy of information recorded otherwise than in legible form; and

(b) the reference to suppressing a document includes a reference to destroying the means of reproducing information recorded otherwise than in legible form.

(9) In this paragraph "the court" means the High Court.

Modification of transfer scheme

12 (1) If at any time after a transfer scheme has come into force—

(a) the transferor,

(b) any transferee affected, and

(c) Transport for London, if not falling within paragraph (a) or (b) above,

so agree in writing, the scheme shall for all purposes be deemed to have come into force with such modifications as may be specified in the agreement.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) Sub-paragraph (1) above does not apply in relation to modifications relating to the transfer of rights and liabilities under a contract of employment, unless the employee concerned is a party to the agreement.

(3) An agreement under sub-paragraph (1) above—
- (a) may make, with effect from the coming into force of the scheme, such provision as could have been made by the scheme; and
- (b) in connection with giving effect to that provision from that time, may contain incidental, supplemental, consequential or transitional provision.

(4) Transport for London may only enter into an agreement under sub-paragraph (1) above with the consent of the Mayor.

(5) The Mayor, in giving his consent under sub-paragraph (4) above to an agreement in respect of a scheme under section 165 of this Act, may make it a condition of the consent that such further modifications to the scheme as he may specify in giving the consent are to be included in the agreement.

(6) No modification may be specified by the Mayor under sub-paragraph (5) above which could not have been included in the agreement apart from that sub-paragraph.

SCHEDULE 13

Section 167.

PROMOTION OF BILLS IN PARLIAMENT BY TRANSPORT FOR LONDON

Preliminary requirements

1 No Bill may be deposited in Parliament by virtue of section 167(1)(a) of this Act until the requirements of paragraph 2 below have been complied with.

Consultation on draft Bill

2 (1) Transport for London shall—
- (a) prepare a draft of the proposed Bill ("the draft Bill");
- (b) send copies of the draft Bill to the bodies and persons specified in sub-paragraph (2) below; and
- (c) consult those bodies and persons about the draft Bill.

(2) Those bodies and persons are—
- (a) the Mayor;
- (b) the Assembly;
- (c) every London borough council; and
- (d) the Common Council.

(3) Where Transport for London sends copies of the draft Bill to those bodies and persons pursuant to sub-paragraph (1)(b) above, it shall also give those bodies and persons notice of the time within which, and the place at which, they may make representations about the draft Bill.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Publicity for, and exposure of, the draft Bill

3 (1) Throughout the consultation period, Transport for London shall take such steps as in its opinion will give adequate publicity to the draft Bill.

(2) A copy of the draft Bill shall be kept available by Transport for London for inspection by any person on request free of charge—

(a) at the principal offices of Transport for London, and

(b) at such other places as Transport for London considers appropriate,

at reasonable hours throughout the consultation period.

(3) A copy of the draft Bill, or of any part of the draft Bill, shall be supplied to any person on request during the consultation period for such reasonable fee as Transport for London may determine.

(4) In this paragraph "the consultation period" means the period which—

(a) begins with the first day after the requirements of paragraph 2(1)(b) above have been complied with; and

(b) ends with the time notified pursuant to paragraph 2(3) above.

Deposition of the Bill in Parliament

4 (1) If, after the requirements of paragraph 2 above have been complied with, a Bill is deposited in Parliament by virtue of section 167(1)(a) of this Act, that Bill must be in the form of the draft Bill, either as originally prepared or as modified to take account of—

(a) representations made pursuant to paragraph 2 above;

(b) other representations made within the consultation period; or

(c) other material considerations.

(2) In this paragraph "the consultation period" has the same meaning as in paragraph 3 above.

Bills affecting statutory functions of London local authorities

5 (1) If a Bill proposed to be deposited in Parliament by virtue of section 167(1)(a) of this Act contains provisions affecting the exercise of statutory functions by a London local authority, the Bill shall not be deposited in Parliament unless—

(a) in a case where the exercise of statutory functions of one London local authority is affected, that authority has given its written consent to the Bill in the form in which it is to be so deposited; or

(b) in a case where the exercise of statutory functions of two or more London local authorities is affected, at least 90 per cent. of all London local authorities have given their written consent to the Bill in that form.

(2) In this paragraph "London local authority" means—

(a) a London borough council; or

(b) the Common Council.

Publicity for the deposited Bill

6 (1) This paragraph applies where a Bill ("the deposited Bill") is deposited in Parliament by virtue of section 167(1)(a) of this Act.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) During the period of 14 days following the day on which the deposited Bill is deposited in Parliament, Transport for London shall take such steps as in its opinion will give adequate publicity to the Bill.

(3) A copy of the deposited Bill shall be kept available by Transport for London for inspection by any person on request free of charge—

(a) at the principal offices of Transport for London, and

(b) at such other places as Transport for London considers appropriate,

at reasonable hours throughout the period while the Bill is in Parliament.

(4) A copy of the deposited Bill, or of any part of the deposited Bill, shall be supplied to any person on request during that period for such reasonable fee as Transport for London may determine.

SCHEDULE 14

Section 220.

PPP ADMINISTRATION ORDERS

Modifications etc. (not altering text)

C9 Sch. 14 modified (10.7.2003) by Railways and Transport Safety Act 2003 (c. 20), **s. 114(5)(d)**

PART I

MODIFICATIONS OF THE 1986 ACT

General application of provisions of 1986 Act

1 Where a PPP administration order has been made, sections 11 to 23 and 27 of the 1986 Act (which relate to administration orders under Part II of that Act) shall apply, with the modifications specified in the following provisions of this Part of this Schedule—

(a) as if references in those sections to an administration order were references to a PPP administration order and references to an administrator were references to a special PPP administrator; and

(b) where the company in relation to which the order has been made is a PPP company which **[**[F106]is not a company registered under the Companies Act 2006 in England and Wales or Scotland**]**, as if references in those sections to a company included references to such a company.

Textual Amendments

F106 Words in Sch. 14 para. 1(b) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(8)(a)** (with art. 10)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information
I4 Sch. 14 para. 1 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Effect of order

2 In section 11 of the 1986 Act (effect of order), as applied by this Part of this Schedule, the requirement in subsection (1)(a) that any petition for the winding up of the company shall be dismissed shall be without prejudice to the PPP administration order in a case where the order is made by virtue of section 222 of this Act.

Commencement Information
I5 Sch. 14 para. 2 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Appointment of special PPP administrator

3 In section 13 of the 1986 Act (appointment of administrator), as applied by this Part of this Schedule, for subsection (3) there shall be substituted the following subsection—

"(3) An application for an order under subsection (2) may be made—
(a) by the Mayor of London;
(b) by any continuing special PPP administrator of the company or, where there is no such special PPP administrator, by the company, the directors or any creditor or creditors of the company."

Commencement Information
I6 Sch. 14 para. 3 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

General powers of special PPP administrator

4 In section 14 of the 1986 Act (general powers of administrator), as applied by this Part of this Schedule,—
(a) in subsection (1)(b), the reference to the powers specified in Schedule 1 to that Act shall be taken to include a reference to a power to act on behalf of the company for the purposes of Chapter VII of Part IV of this Act or any provision of a local or private Act which confers any power, or imposes any duty or obligation, on the company; and
(b) in subsection (4), the reference to a power conferred by the company's **[**[F107]articles of association**]**—
(i) shall be taken to include a reference to any power conferred by any provision of a local or private Act which confers any power, or imposes any duty or obligation, on the company; and
(ii) in the case of a company which is an unregistered company, shall be taken also to include a reference to any power conferred by the company's constitution.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F107 Words in Sch. 14 para. 4(b) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(8)(b)** (with art. 10)

Commencement Information

I7 Sch. 14 para. 4 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Power to deal with charged property

5 (1) Section 15 of the 1986 Act (power to deal with charged property), as applied by this Part of this Schedule, shall have effect as follows.

(2) In subsection (5)(b) (amount to be paid to chargeholder not to be less than open market value), for the words "in the open market by a willing vendor" there shall be substituted the words " for the best price which is reasonably available on a sale which is consistent with the purposes of the PPP administration order ".

Commencement Information

I8 Sch. 14 para. 5 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Duties of special PPP administrator

6 (1) Section 17 of the 1986 Act (duties of administrator), as applied by this Part of this Schedule, shall have effect in accordance with the following provisions of this paragraph.

(2) For subsection (2) there shall be substituted the following subsection—

"(2) Subject to any directions of the court, it shall be the duty of the special PPP administrator to manage the affairs, business and property of the company in accordance with proposals, as for the time being revised under section 23, which have been prepared for the purposes of that section by him or any predecessor of his."

(3) In subsection (3), paragraph (a) (right of creditors to require the holding of a creditors' meeting) shall be omitted.

Commencement Information

I9 Sch. 14 para. 6 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Discharge of order

7 (1) Section 18 of the 1986 Act (discharge and variation of administration order), as applied by this Part of this Schedule, shall have effect as follows.

(2) For subsections (1) and (2) there shall be substituted the following subsection—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

"(1) An application for a PPP administration order to be discharged may be made—

(a) by the special PPP administrator, on the ground that the purposes of the order have been achieved; or

(b) by the Mayor of London, on the ground that it is no longer necessary that the purposes of the order are achieved."

(3) In subsection (3), the words "or vary" shall be omitted.

(4) In subsection (4), the words "or varied" and "or variation" shall be omitted and for the words "to the registrar of companies" there shall be substituted—

[[F108](a) where the company—

(i) is registered under the Companies Act 2006, or

(ii) is subject to a requirement imposed by regulations under section 1043 or 1046 of the Companies Act 2006 (unregistered UK companies or overseas companies) to deliver any documents to the registrar of companies,

the words "to the Mayor of London and the registrar of companies"; and

(b) where paragraph (a) above does not apply, the words "to the Mayor of London".**]**

Textual Amendments

F108 Sch. 14 para. 7(4)(a)(b) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(8)(c)** (with art. 10)

Commencement Information

I10 Sch. 14 para. 7 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Notice of making of order

8 In section 21(2) of the 1986 Act (notice of order to be given by administrator), as applied by this Part of this Schedule, for the words "to the registrar of companies" there shall be substituted—

[[F109](a) where the company—

(i) is registered under the Companies Act 2006, or

(ii) is subject to a requirement imposed by regulations under section 1043 or 1046 of the Companies Act 2006 (unregistered UK companies or overseas companies) to deliver any documents to the registrar of companies,

the words "to the Mayor of London and the registrar of companies"; and

(b) where paragraph (a) above does not apply, the words "to the Mayor of London".**]**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F109 Sch. 14 para. 8(a)(b) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(8)(c)** (with art. 10)

Commencement Information

I11 Sch. 14 para. 8 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Statement of proposals

9 In section 23 of the 1986 Act (statement of proposals), as applied by this Part of this Schedule, for subsections (1) and (2) there shall be substituted the following subsections—

"(1) Where a PPP administration order has been made, the special PPP administrator shall, within 3 months (or such longer period as the court may allow) after the making of the order, send a statement of his proposals for achieving the purposes of the order—

(a) to the Mayor of London;

(b) so far as he is aware of their addresses, to all creditors of the company; and

(c) except where the company is an unregistered company which is not subject to a requirement imposed under or by virtue of section 691(1) or 718 of the [M33]Companies Act 1985 to deliver any documents to the registrar of companies, to the registrar of companies;

and may from time to time revise those proposals.

(2) If at any time—

(a) the special PPP administrator proposes to make revisions of the proposals for achieving the purposes of the PPP administration order, and

(b) those revisions appear to him to be substantial,

the special PPP administrator shall, before making those revisions, send a statement of the proposed revisions to the persons specified in subsection (2A).

(2A) The persons mentioned in subsection (2) are—

(a) the Mayor of London;

(b) all creditors of the company, so far as the special PPP administrator is aware of their addresses; and

[[F110](c) where the company—

(i) is registered under the Companies Act 2006, or

(ii) is subject to a requirement imposed by regulations under section 1043 or 1046 of the Companies Act 2006 (unregistered UK companies or overseas companies) to deliver any documents to the registrar of companies,

the registrar of companies.**]**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2B) Where the special PPP administrator is required by subsection (1) or (2) to send any person a statement before the end of any period or before making any revision of any proposals, he shall also, before the end of that period or, as the case may be, before making those revisions either—

(a) send a copy of the statement (so far as he is aware of their addresses) to all members of the company; or

(b) publish in the prescribed manner a notice stating an address to which members should write for copies of the statement to be sent to them free of charge."

Textual Amendments

F110 Words in Sch. 14 para. 9 substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(8)(d)** (with art. 10)

Commencement Information

I12 Sch. 14 para. 9 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Marginal Citations

M33 1985 c. 6.

Applications to court

10 (1) Section 27 of the 1986 Act (protection of interests of creditors and members), as applied by this Part of this Schedule, shall have effect as follows.

(2) After subsection (1) there shall be inserted the following subsections—

"(1A) At any time when a PPP administration order is in force the Mayor of London may apply to the High Court by petition for an order under this section on the ground specified in subsection (1B).

(1B) The ground mentioned in subsection (1A) is that the special PPP administrator has exercised or is exercising, or proposing to exercise, his powers in relation to the company in a manner which will not best ensure the achievement of the purposes of the order.

(1C) Where an application is made under subsection (1) in respect of a company in relation to which a PPP administration order is in force—

(a) notice of the application shall be given to the Mayor of London; and

(b) he shall be entitled to be heard by the court in connection with that application."

(3) Subsection (3) (order not to prejudice or prevent voluntary arrangements or administrator's proposals) shall be omitted.

(4) In subsection (4) (provision that may be made in an order), the words "Subject as above" shall be omitted and for paragraph (d) there shall be substituted—

"(d) without prejudice to the powers exercisable by the court in making a PPP administration order—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(i) provide that the PPP administration order is to be discharged as from such date as may be specified in the order unless, before that date, such measures are taken as the court thinks fit for the purpose of protecting the interests of creditors; and

(ii) make such consequential provision as the court thinks fit."

(5) For subsection (6) there shall be substituted—

"(6) Where a PPP administration order is discharged in consequence of such provision in an order under this section as is mentioned in subsection (4)(d)(i), the special PPP administrator shall, within 14 days after the date on which the discharge takes effect, send **[**[F111]a copy**]** of the order under this section—

(a) to the Mayor of London; and

[[F112](b) where the company—

(i) is registered under the Companies Act 2006, or

(ii) is subject to a requirement imposed by regulations under section 1043 or 1046 of the Companies Act 2006 (unregistered UK companies or overseas companies) to deliver any documents to the registrar of companies,

to the registrar of companies.**]**

and if, without reasonable excuse, the special PPP administrator fails to comply with this subsection, he is liable to a fine and, for continued contravention, to a daily default fine."

Textual Amendments

F111 Words in Sch. 14 para. 10(5) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(8)(e)(i)** (with art. 10)

F112 Words in Sch. 14 para. 10(5) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(8)(e)(ii)** (with art. 10)

Commencement Information

I13 Sch. 14 para. 10 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Particular powers of special PPP administrator

11 In the application of Schedule 1 to the 1986 Act (which sets out certain powers of the administrator) by virtue of section 14 of that Act, as applied by this Part of this Schedule in relation to a company which is an unregistered company, paragraph 22 shall be omitted.

Commencement Information

I14 Sch. 14 para. 11 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

PART II

FURTHER MODIFICATIONS OF THE 1986 ACT: APPLICATION IN RELATION TO FOREIGN COMPANIES

Introductory

12 (1) Where a PPP administration order has been made in relation to a company which is a foreign company, sections 11 to 23 and 27 of the 1986 Act (as applied by Part I of this Schedule) shall apply in relation to that foreign company with the further modifications set out in the following provisions of this Part of this Schedule.

(2) In this Part of this Schedule, "foreign company" means a company incorporated outside Great Britain.

Commencement Information
I15 Sch. 14 para. 12 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Effect of order

13 (1) Section 11 of the 1986 Act (effect of administration order), as applied by this Part of this Schedule in relation to a foreign company, shall have effect as follows.

(2) In subsection (1), paragraph (b) shall be omitted.

(3) Subsection (2) shall be omitted.

(4) In subsection (3)—

(a) paragraphs (a) and (b) shall be omitted; and

(b) in paragraph (d)—

(i) the reference to the commencement or continuation of proceedings shall be taken as a reference to the commencement or continuation of proceedings in Great Britain; and

(ii) the reference to the levying of distress against the company shall be taken as a reference to the levying of distress against the foreign company to the extent of its property in England and Wales;

and any reference to property or goods shall be taken as a reference to property or (as the case may be) goods for the time being situated within Great Britain.

(5) Subsections (4) and (5) shall be omitted.

(6) At the end of that section there shall be added—

"(6) Where a PPP administration order is in force in relation to a company which is a foreign company within the meaning of section 224 of the Greater London Authority Act 1999—

(a) any person appointed to perform functions equivalent to those of an administrative receiver, and

(b) if the special PPP administrator so requires, any person appointed to perform functions equivalent to those of a receiver,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

shall refrain from performing those functions in Great Britain in relation to the foreign company and any of the company's property for the time being situated in Great Britain, during the period for which that order is in force or, in the case of such a person as is mentioned in paragraph (b) above, during so much of that period as falls after the date on which he is required to do so."

Commencement Information

I16 Sch. 14 para. 13 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Notification of order

14 In section 12 of the 1986 Act (notification of order), as applied by this Part of this Schedule in relation to a foreign company, the reference to a statement that the affairs, business and property of the company are being managed by the administrator shall be taken as a reference to a statement that—

(a) the affairs and business of the foreign company so far as carried on in Great Britain, and

(b) the property of the foreign company so far as that property is for the time being situated within Great Britain,

are being managed by the special PPP administrator.

Commencement Information

I17 Sch. 14 para. 14 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

General powers of special PPP administrator

15 (1) Section 14 of the 1986 Act (general powers of administrator), as applied by this Part of this Schedule in relation to a foreign company, shall have effect as follows.

(2) In subsection (1)(a), the reference to the affairs, business and property of the company shall be taken as a reference to—

(a) the affairs and business of the foreign company so far as carried on in Great Britain, and

(b) the property of that company so far as that property is for the time being situated within Great Britain.

(3) Subsection (2)(a) shall be omitted.

(4) In subsection (4)—

(a) the reference to any power conferred on the company or its officers shall be taken to include any power conferred on the foreign company or its officers under the law under which the foreign company is incorporated; and

(b) any reference (however expressed) to the exercise of any power conferred on the company or its officers shall be taken as a reference to the exercise of that power so far as it relates to—

(i) the affairs and business of the foreign company so far as carried on in Great Britain, or

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(ii) the property of that company so far as that property is for the time being situated within Great Britain.

Commencement Information
I18 Sch. 14 para. 15 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Power to deal with charged property

16 In section 15 of the 1986 Act (power of administrator to deal with charged property etc), as applied by this Part of this Schedule in relation to a foreign company, any reference to property or goods shall be taken as a reference to property or (as the case may be) goods for the time being situated within Great Britain.

Commencement Information
I19 Sch. 14 para. 16 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Duties of special PPP administrator

17 In section 17 of the 1986 Act (general duties of administrator), as applied by this Part of this Schedule in relation to a foreign company,—

(a) in subsection (1), the reference to property shall be taken as a reference to property for the time being situated within Great Britain; and

(b) in subsection (2), the reference to the affairs, business and property of the company shall be taken as a reference to—

(i) the affairs and business of the foreign company so far as carried on in Great Britain, and

(ii) the property of that company so far as that property is for the time being situated within Great Britain.

Commencement Information
I20 Sch. 14 para. 17 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Statement as to company's affairs

18 In section 22(1) of the 1986 Act (power of administrator to require certain persons to provide him with a statement as to company's affairs), as applied by this Part of this Schedule in relation to a foreign company, the reference to the affairs of the company shall be taken as a reference to the affairs of the foreign company so far as they are carried on in Great Britain, or relate to property of that company for the time being situated within Great Britain.

Commencement Information
I21 Sch. 14 para. 18 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Particular powers of special PPP administrator

19 (1) The powers conferred on a special PPP administrator by virtue of Schedule 1 to the 1986 Act (which sets out certain powers of an administrator), as that Schedule applies by virtue of section 14 of that Act, as applied by this Part of this Schedule in relation to a foreign company, shall be exercisable only in relation to—

(a) the affairs and business of that company, so far as carried on in Great Britain; and

(b) the property of that company, so far as that property is for the time being situated within Great Britain.

(2) In that Schedule, as it so applies,—

(a) without prejudice to sub-paragraph (1) above, references to the property of that company shall be taken as references to that property, so far as that property is for the time being situated within Great Britain; and

(b) paragraph 19 shall be omitted.

Commencement Information

I22 Sch. 14 para. 19 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

PART III

SUPPLEMENTAL

General adaptations and saving

20 (1) Subject to the preceding provisions of this Schedule, references in the 1986 Act (except in sections 8 to 10 and 24 to 26), or in any other enactment passed before this Act, to an administration order under Part II of that Act, to an application for such an order and to an administrator shall include references, respectively, to a PPP administration order, to an application for a PPP administration order and to a special PPP administrator.

(2) Subject as aforesaid and to sub-paragraph (3) below, references in the 1986 Act, or in any other enactment passed before this Act, to an enactment contained in Part II of that Act shall include references to that enactment as applied by section 221, 222, 223 or 224 of this Act or Part I or II of this Schedule.

(3) Sub-paragraphs (1) and (2) above shall apply in relation to a reference in an enactment contained in Part II of the 1986 Act only so far as necessary for the purposes of the operation of the provisions of that Part as so applied.

(4) The provisions of this Schedule shall be without prejudice to the power conferred by section 411 of the 1986 Act (company insolvency rules), as modified by sub-paragraphs (1) and (2) above.

Commencement Information

I23 Sch. 14 para. 20 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Interpretation

21 (1) In this Schedule "the 1986 Act" means the [M34]Insolvency Act 1986.

(2) In this Schedule, and in any modification of the 1986 Act made by this Schedule, "special PPP administrator", in relation to a PPP administration order, means any person appointed in relation to that order for the purposes of section 220(1) of this Act; and in any such modification "PPP administration order" has the same meaning as in Chapter VII of Part IV of this Act.

Commencement Information
I24 Sch. 14 para. 21 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Marginal Citations
M34 1986 c.45.

SCHEDULE 15

Section 220.

TRANSFER OF RELEVANT ACTIVITIES IN CONNECTION WITH PPP ADMINISTRATION ORDERS

Modifications etc. (not altering text)
C10 Sch. 15 modified (10.7.2003) by Railways and Transport Safety Act 2003 (c. 20), **s. 114(5)(d)**

Application of Schedule

1 (1) This Schedule shall apply in any case where—

(a) the court has made a PPP administration order in relation to a PPP company ("the existing appointee"); and

(b) it is proposed that, on and after a date appointed by the court, another company ("the new appointee") should carry on the relevant activities of the existing appointee, in place of the existing appointee.

(2) In this Schedule—

"the court", in the case of any PPP company, means the court having jurisdiction to wind up the company;

"other appointee" means any company, other than the existing appointee or the new appointee, which may be affected by the proposal mentioned in sub-paragraph (1)(b) above;

"the relevant date" means such day, being a day before the discharge of the PPP administration order takes effect, as the court may appoint for the purposes of this Schedule; and

"special PPP administrator", in relation to a company in relation to which a PPP administration order has been made, means the person for the time being holding office for the purposes of section 220(1) of this Act.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I25 Sch. 15 para. 1 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Making and modification of transfer schemes

2 (1) The existing appointee, acting with the consent of the new appointee and, in relation to the matters affecting them, of any other appointees, may make a scheme under this Schedule for the transfer of property, rights and liabilities from the existing appointee to the new appointee.

(2) A scheme under this Schedule shall not take effect unless it is approved by the Mayor.

(3) Where a scheme under this Schedule is submitted to the Mayor for his approval, he may, with the consent of the new appointee, of the existing appointee and, in relation to the matters affecting them, of any other appointees, modify the scheme before approving it.

(4) If at any time after a scheme under this Schedule has come into force in relation to the property, rights and liabilities of any company the Mayor considers it appropriate to do so and the existing appointee, the new appointee and, in relation to the provisions of the order which affect them, any other appointees consent to the making of the order, the Mayor may by order provide that that scheme shall for all purposes be deemed to have come into force with such modifications as may be specified in the order.

(5) An order under sub-paragraph (4) above may make, with effect from the coming into force of the scheme to which it relates, any such provision as could have been made by the scheme and, in connection with giving effect to that provision from that time, may contain such supplemental, consequential and transitional provision as the Mayor considers appropriate.

(6) In determining, in accordance with the duties imposed upon him by or under this Act or any other enactment (whenever passed or made), whether and in what manner to exercise any power conferred on him by this paragraph, the Mayor shall have regard to the need to ensure that any provision for the transfer of property, rights and liabilities in accordance with a scheme under this Schedule allocates property, rights and liabilities to the different companies affected by the scheme in such proportions as appear to him to be appropriate i the context of the different relevant activities of the existing appointee which will, by virtue of this Act, be carried out at different times on and after the relevant date by the new appointee, by the existing appointee and by any other appointees.

(7) It shall be the duty of the new appointee, of the existing appointee and of any other appointees to provide the Mayor with all such information and other assistance as he may reasonably require for the purposes of, or in connection with, the exercise of any power conferred on him by this paragraph.

(8) Without prejudice to the other provisions of this Act relating to the special PPP administrator of a company, anything which is required by this paragraph to be done by a company shall, where that company is a company in relation to which a PPP administration order is in force, be effective only if it is done on the company's behalf by its special PPP administrator.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I26 Sch. 15 para. 2 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Transfers by scheme

3 (1) A scheme under this Schedule for the transfer of the existing appointee's property, rights and liabilities shall come into force on the relevant date and, on coming into force, shall have effect, in accordance with its provisions and without further assurance, so as to transfer the property, rights and liabilities to which the scheme relates to the new appointee.

(2) For the purpose of making any division of property, rights or liabilities which it is considered appropriate to make in connection with the transfer of property, rights and liabilities in accordance with a scheme under this Schedule, the provisions of that scheme may—

(a) create for the existing appointee, the new appointee or any other appointees an interest in or right over any property to which the scheme relates;

(b) create new rights and liabilities as between any two or more of those companies; and

(c) in connection with any provision made by virtue of paragraph (a) or (b) above, make incidental provision as to the interests, rights and liabilities of other persons with respect to the subject-matter of the scheme.

(3) The property, rights and liabilities of the existing appointee that shall be capable of being transferred in accordance with a scheme under this Schedule shall include—

(a) property, rights and liabilities that would not otherwise be capable of being transferred or assigned by the existing appointee;

(b) such property, rights and liabilities to which the existing appointee may become entitled or subject after the making of the scheme and before the relevant date as may be described in the scheme;

(c) property situated anywhere in the United Kingdom or elsewhere;

(d) rights and liabilities under the law of any part of the United Kingdom or of any country or territory outside the United Kingdom.

(4) The provision that may be made by virtue of sub-paragraph (2)(b) above includes—

(a) provision for treating any person who is entitled by virtue of a scheme under this Schedule to possession of a document as having given another person an acknowledgement in writing of the right of that other person to the production of the document and to delivery of copies thereof; and

(b) provision applying section 64 of the [M35]Law of Property Act 1925 (production and safe custody of documents) in relation to any case in relation to which provision falling within paragraph (a) above has effect.

(5) For the avoidance of doubt, it is hereby declared that the transfers authorised by paragraph (a) of sub-paragraph (3) above include transfers which, by virtue of that paragraph, are to take effect as if there were no such contravention, liability or interference with any interest or right as there would be, in the case of a transfer or assignment otherwise than in accordance with a scheme under this Schedule, by reason of any provision having effect (whether under any enactment or agreement

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

or otherwise) i relation to the terms on which the existing appointee is entitled or subject to the property, right or liability in question.

Commencement Information
I27 Sch. 15 para. 3 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Marginal Citations
M35 1925 c. 20.

Transfer of licences

4 (1) A scheme under this Schedule may provide for a licence held by the existing appointee to have effect as if it had been granted to the new appointee.

(2) Different schemes under this Schedule may provide for a licence held by the same existing appointee to have effect as if it had been granted as a separate licence to each of the new appointees under those schemes.

(3) In this paragraph "licence" means a licence under section 8 of the [M36]Railways Act 1993.

Commencement Information
I28 Sch. 15 para. 4 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Marginal Citations
M36 1993 c. 43.

Supplemental provisions of schemes

5 (1) A scheme under this Schedule may contain supplemental, consequential and transitional provision for the purposes of, or in connection with, the provision for the transfers or any other provision made by the scheme.

(2) Without prejudice to the generality of sub-paragraph (1) above, a scheme under this Schedule may provide—

(a) that for purposes connected with any transfers made in accordance with the scheme (including the transfer of rights and liabilities under an enactment) the new appointee is to be treated as the same person in law as the existing appointee;

(b) that, so far as may be necessary for the purposes of or in connection with any such transfers, agreements made, transactions effected and other things done by or in relation to the existing appointee are to be treated as made, effected or done by or in relation to the new appointee;

(c) that, so far as may be necessary for the purposes of or in connection with any such transfers, references in any agreement (whether or not in writing) or in any deed, bond, instrument or other document to, or to any officer of, the existing appointee are to have effect with such modifications as are specified in the scheme;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(d) that proceedings commenced by or against the existing appointee are to be continued by or against the new appointee;

(e) that the effect of any transfer under the scheme in relation to contracts of employment with the existing appointee is not to be to terminate any of those contracts but is to be that periods of employment with the existing appointee are to count for all purposes as periods of employment with the new appointee;

(f) that disputes as to the effect of the scheme between the existing appointee and the new appointee, between either of them and any other appointee or between different companies which are other appointees are to be referred to such arbitration as may be specified in or determined under the scheme;

(g) that determinations on such arbitrations and certificates given jointly by two or more such appointees as are mentioned in paragraph (f) above as to the effect of the scheme as between the companies giving the certificates are to be conclusive for all purposes.

Commencement Information

I29 Sch. 15 para. 5 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Duties of existing appointee after the scheme comes into force

6 (1) A scheme under this Schedule may provide for the imposition of duties on the existing appointee and on the new appointee to take all such steps as may be requisite to secure that the vesting in the new appointee, by virtue of the scheme, of any foreign property, right or liability is effective under the relevant foreign law.

(2) The provisions of a scheme under this Schedule may require the existing appointee to comply with any directions of the new appointee in performing any duty imposed on the existing appointee by virtue of a provision included in the scheme under sub-paragraph (1) above.

(3) A scheme under this Schedule may provide that, until the vesting of any foreign property, right or liability of the existing appointee in the new appointee is effective under the relevant foreign law, it shall be the duty of the existing appointee to hold that property or right for the benefit of, or to discharge that liability on behalf of, the new appointee.

(4) Nothing in any provision included by virtue of this paragraph in a scheme under this Schedule shall be taken as prejudicing the effect under the law of any part of the United Kingdom of the vesting by virtue of the scheme in the new appointee of any foreign property, right or liability.

(5) A scheme under this Schedule may provide that, in specified cases, foreign property, rights or liabilities that are acquired or incurred by an existing appointee after the scheme comes into force are immediately to become property, rights or liabilities of the new appointee; and such a scheme may make the same provision in relation to any such property, rights or liabilities as can be made, by virtue of the preceding provisions of this paragraph, in relation to foreign property, rights and liabilities vested i the existing appointee when the scheme comes into force.

(6) References in this paragraph to any foreign property, right or liability are references to any property, right or liability as respects which any issue arising in any

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

proceedings would have to be determined (in accordance with the rules of private international law) by reference to the law of a country or territory outside the United Kingdom.

(7) Any expenses incurred by an existing appointee in consequence of any provision included by virtue of this paragraph in a scheme under this Schedule shall be met by the new appointee.

(8) Duties imposed on a company by virtue of this paragraph shall be enforceable in the same way as if they were imposed by a contract between the existing appointee and the new appointee.

Commencement Information

I30 Sch. 15 para. 6 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

Functions exercisable by virtue of PPP agreements

7 (1) A scheme under this Schedule may provide that any functions exercisable by the existing appointee by virtue of a PPP agreement shall instead be—

(a) exercisable by the new appointee or any of the other appointees;

(b) concurrently exercisable by two or more companies falling within paragraph (a) above; or

(c) concurrently exercisable by the existing appointee and one or more companies falling within paragraph (a) above;

and different schemes under this Schedule may provide for any such functions exercisable by the same existing appointee to have effect as mentioned in paragraphs (a) to (c) above in relation to each of the new appointees under those schemes or of all or any of the other appointees.

(2) Sub-paragraph (1) above applies in relation to any function under a statutory provision if and to the extent that the statutory provision—

(a) relates to any part of the existing appointee's undertaking, or to any property, which is to be transferred by the scheme; or

(b) authorises the carrying out of works designed to be used in connection with any such part of the existing appointee's undertaking or the acquisition of land for the purpose of carrying out any such works.

(3) A scheme under this Schedule may define any functions exercisable by the existing appointee which are instead to be made exercisable or concurrently exercisable by the scheme in accordance with sub-paragraph (1) above—

(a) by specifying the statutory provisions in question;

(b) by referring to all the statutory provisions which—

(i) relate to any part of the existing appointee's undertaking, or to any property, which is to be transferred by the scheme, or

(ii) authorise the carrying out of works designed to be used in connection with any such part of the existing appointee's undertaking or the acquisition of land for the purpose of carrying out any such works; or

(c) by referring to all the statutory provisions within paragraph (b) above, but specifying certain excepted provisions.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(4) In this paragraph "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 a special nature.

Commencement Information

I31 Sch. 15 para. 7 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(b)**

SCHEDULE 16

Section 241.

THE FREE TRAVEL SCHEME

[F113 Concession required for all eligible England residents

Textual Amendments

F113 Sch. 16 para. A1 and crossheading inserted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 2**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

A1 In any financial year during which the free travel scheme has effect, the concession required by the scheme in the case of all eligible England residents is the waiver, on production of a travel concession permit issued to any such resident under—

(a) paragraph 4(2) below (in the case of an eligible London resident), or

(b) section 145A(4) of the Transport Act 2000 (in the case of any other eligible England resident),

of any fare otherwise payable by the person to whom it was issued for any journey falling within section 242(8) of this Act.**]**

[F114 Additional concession required for blind eligible London residents]

Textual Amendments

F114 Sch. 16 para. 1 crossheading substituted (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 3(2)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

1 In any financial year during which the free travel scheme has effect, **[F115** the additional concession required **]** by the scheme 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 paragraph 4(2) below, of any fare otherwise payable by the person to whom it was issued for any journey falling within section 242(2) of this Act **[F116** (so far as not falling within section 242(8) of this Act) **]** .

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F115 Words in Sch. 16 para. 1 substituted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 3(1)(a)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

F116 Words in Sch. 16 para. 1 inserted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 3(1)(b)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

[F117 Additional concession required for other eligible London residents]

Textual Amendments

F117 Sch. 16 para. 2 crossheading substituted (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 4(4)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

2 (1) In any financial year during which the free travel scheme has effect, **[F118** the additional concession required **]** by the scheme in the case of all eligible London residents in any other category **F119**... is the concession described in sub-paragraph (2) below.

(2) The concession mentioned in sub-paragraph (1) above is the waiver, on production of a travel concession permit issued to any such resident under paragraph 4(2) below, of any fare otherwise payable by the person to whom it was issued for any journey falling within section 242(2) of this Act **[F120** (so far as not falling within section 242(8) of this Act) **]** and 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 **M37**Banking and Financial Dealings Act 1971; or

(b) in an eligible period on any other day.

(3) Subject to sub-paragraph (4) below, for the purposes of paragraph (b) of sub-paragraph (2) above the eligible periods are—

(a) the period from midnight to 4.30 a.m; and

(b) the period from 9 a.m. to midnight.

(4) The periods which are eligible periods for the purposes of sub-paragraph (2)(b) above may be altered from time to time by Transport for London by notice published in such manner as it thinks fit, specifying the new period or periods and the effective date of the alteration.

(5) A notice under sub-paragraph (4) 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.

(6) Before publishing a notice under sub-paragraph (4) above Transport for London shall consult each London authority and the London Transport Users' Committee.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F118 Words in Sch. 16 para. 2(1) substituted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 4(2)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

F119 Words in Sch. 16 para. 2(1) repealed (1.4.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. II**; S.I. 2000/3229, art. 2(3), **Sch. Pt. III** (with transitional provisions in arts. 3, 4)

F120 Words in Sch. 16 para. 2(2) inserted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 4(3)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

Modifications etc. (not altering text)

C11 Sch. 16 para. 2(6) extended (*temp.* during the transitional period) (3.7.2000) by S.I. 2000/1504, **arts. 2**, 8(1)(2)

Marginal Citations

M37 1971 c. 80.

Notification

3 As soon as it appears to Transport for London that the free travel scheme will have effect during the next financial year, Transport for London shall notify each London authority that the scheme will have effect during that financial year.

Modifications etc. (not altering text)

C12 Sch. 16 para. 3 extended (*temp.* during the transitional period) (3.7.2000) by S.I. 2000/1504, **arts. 2**, 8(1)(3)

Issue of permits

4 (1) For the purposes of the operation of the free travel scheme in any financial year during which the scheme has effect, Transport for London shall from time to time supply to each London authority such travel concession permits as appear to Transport for London to be required by that council for issue to eligible London residents in accordance with the following provisions of this paragraph.

[[F121](1A) The Secretary of State may by regulations make provision about the form and period of validity of the travel concession permits.**]**

(2) Subject to sub-paragraph (3) below, a London authority shall issue a travel concession permit supplied by Transport for London under sub-paragraph (1) above to any eligible London resident who applies for one and **[**[F122] whose sole or principal residence is in **]** the area of that authority.

(3) The issue of such a permit by any London authority shall **[**[F123] (subject to any regulations under sub-paragraph (1A) above) **]** be subject to such terms, limitations or conditions as the authority may, with the approval of the Mayor, from time to time determine as respects any category of eligible London residents.

[[F124](4) But no charge may be made for the issue by any London authority of such a permit.**]**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F121 Sch. 16 para. 4(1A) inserted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 5(2)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

F122 Words in Sch. 16 para. 4(2) substituted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 5(3)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

F123 Words in Sch. 16 para. 4(3) inserted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 5(4)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

F124 Sch. 16 para. 4(4) inserted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 5(5)**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

Charges made for permits

5 (1) Before 1st February in any financial year (referred to in this paragraph as the "current financial year") immediately preceding a financial year during which the free travel scheme will have effect, Transport for London shall notify each London authority of the charge to be paid by the authority to Transport for London—

(a) for each quarter of the financial year during which the free travel scheme will have effect;

(b) in respect of each travel concession permit issued under paragraph 4(2) above and valid on the first day of that quarter.

(2) The charges payable by London authorities under this paragraph—

(a) shall be fixed by Transport for London 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 financial year during which the scheme has effect with another, where the scheme has effect during two or more consecutive financial years); and

(b) may differ for different quarters of a financial year.

(3) The reference in sub-paragraph (2)(a) above to the costs of the operation of the free travel scheme is a reference, in relation to any financial year taken into account in fixing any charges under that sub-paragraph, to the aggregate of the amounts specified in sub-paragraph (4) below.

(4) Those amounts are—

(a) the revenue by way of fares which Transport for London estimates that it and any of its subsidiaries 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 Transport for London has incurred or estimates that it 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 Transport for London has made or proposes to make for that purpose to any person with whom they have entered into an agreement by virtue of section 156(2) or (3) of this Act or who has entered into a transport subsidiary's agreement).

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(5) In fixing the charges payable by London authorities under this paragraph Transport for London shall take into account—

(a) the sum applicable by virtue of sub-paragraph (6) below; and

(b) the matters specified in sub-paragraph (7) below.

(6) The sum applicable by virtue of this sub-paragraph is—

(a) where the free travel scheme does not have effect during the current financial year, a sum equivalent to the total of the costs agreed to be reimbursed by local authorities during the current financial year under arrangements made by virtue of section 240(1) of this Act; or

(b) where the free travel scheme has effect during the current financial year, a sum equivalent to the charges payable by London authorities under this paragraph in respect of the current financial year.

(7) The matters specified in this sub-paragraph are—

(a) the coming into operation of a service falling within section 242(3) of this Act **[**[F125] or a service outside Greater London which, but for section 179(2), would be part of the London bus network**]**, or the variation or discontinuance of such a service,

(b) changes in the fares payable in respect of any such service, and

(c) changes in the methods or information available to Transport for London for calculating the amounts specified in sub-paragraph (4) above,

since costs were last agreed to be reimbursed by local authorities under arrangements made by virtue of section 240(1) of this Act or, if more recent, since charges payable under this paragraph were last fixed.

Textual Amendments

F125 Words in Sch. 16 para. 5(7)(a) inserted (E.W.) (17.10.2007 for specified purposes, 1.4.2008 in so far as not already in force) by Concessionary Bus Travel Act 2007 (c. 13), s. 15(1), **Sch. 1 para. 6**; S.I. 2007/2799, arts. 2, 3 (with art. 4)

Modifications etc. (not altering text)

C13 Sch. 16 para. 5(4)(b) extended (*temp.* during the transitional period) (3.7.2000) by S.I. 2000/1504, **arts. 2**, 8(1)(4)

Payments by London authorities

6 (1) Before the end of the first month of each quarter of each financial year during which the free travel scheme has effect, each London authority shall—

(a) pay to Transport for London, in respect of each travel concession permit issued by that authority and valid on the first day of that quarter, the charge fixed by Transport for London under paragraph 5 above which is applicable to that permit for that quarter;

(b) provide Transport for London with a written statement giving the particulars required by sub-paragraph (2) below with respect to the travel concession permits supplied to the authority by Transport for London under paragraph 4(1) above; and

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(c) if required to do so by Transport for London, return to Transport for London all such permits which have not been issued by the authority before the beginning of that quarter.

(2) The particulars required by this sub-paragraph in any statement under sub-paragraph (1)(b) above with respect to any quarter of the financial year in question are—

(a) the number of travel concession permits supplied to the authority by Transport for London under paragraph 4(1) above and 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.

Local authority's opinion of disability or injury

F126 7 . . . . . .

Textual Amendments

F126 Sch. 16 para. 7 repealed (1.4.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. II**; S.I. 2000/3229, art. 2, **Sch. Pt. III** (with transitional savings in arts. 3, 4)

Annual report of Transport for London

8 With respect to each financial year during which the free travel scheme has effect, the annual report of Transport for London under section 161 of this Act shall contain a statement of—

(a) the manner in which the charges fixed under paragraph 5 above in respect of each quarter of that year were calculated; and

(b) the aggregate of the amounts paid to Transport for London during that year by London authorities under paragraph 6(1)(a) above.

SCHEDULE 17

Section 245.

PENALTY FARES

Modifications etc. (not altering text)

C14 Sch. 17 applied (with modifications) (15.7.2003) by The Croydon Tramlink (Penalty Fares) Order 2003 (S.I. 2003/1614), arts. 1, 2, **Sch. 1**

Introductory

1 (1) In this Schedule unless the context otherwise requires—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

"authorised person" means, in relation to any purpose, a person authorised for that purpose by Transport for London or by the person providing the service;

"compulsory ticket area" means that part of a station which, under the byelaws of the person providing a train service to which this Schedule applies, passengers are not permitted to enter without a fare ticket, general travel authority or platform ticket;

"fare ticket" means a ticket (including one issued by a third person) showing payment of a fare and authorising the person in respect of whom it is issued to make a single journey covered by that fare on a local service or train service to which this Schedule applies, or to make that journey and a return journey (whether or not it also authorises him to make a journey on a service provided by a third person);

"general travel authority" means any permit (including one issued by a third person), other than a fare ticket, authorising the person in respect of whom it is issued to travel on a local service or train service to which this Schedule applies (whether or not it also authorises him to travel on a service provided by a third person);

"penalty fare" means a penalty fare payable pursuant to paragraph 3 or 4 below;

"the penalty fare provisions" means paragraphs 3 to 8 below;

"person providing the service" means the operator of the service, except that, in the case of a service provided in pursuance of an agreement entered into by Transport for London under section 156(2) or (3)(a) of this Act or in pursuance of a transport subsidiary's agreement, means Transport for London;

"platform ticket" means a ticket authorising a person to enter a compulsory ticket area but not to make a journey;

"station" means a station serving a train service to which this Schedule applies;

"third person" means a person other than one referred to in paragraph 2(1)(a) or (b) below; and

"train service" means a service for the carriage of passengers by rail.

(2) Subject to sub-paragraph (3) below, a person is travelling on a train service to which this Schedule applies at any time when he is on a train forming part of that service or is in a compulsory ticket area.

(3) A person at a station is not to be taken as travelling by reason only of being in a compulsory ticket area or boarding a train at that station if he has entered that area or boards that train otherwise than for the purpose of making a journey and produces, if required to do so by an authorised person, a valid platform ticket.

(4) Any reference in this Schedule to a person producing a fare ticket or general travel authority on being required to do so by an authorised person is a reference to producing, when so required, a fare ticket or general travel authority which, either by itself or together with any other fare ticket or general travel authority produced by that person at the same time, is valid for the journey he has made.

(5) For the purposes of sub-paragraph (4) above—

(a) a person who has entered a compulsory ticket area otherwise than by transferring from a train service provided by a third person but has not

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

boarded a train shall be taken to have made a journey for which the minimum fare is payable; and

(b) a person who is on a train shall be taken to have made a journey ending at the next station at which the train is scheduled to stop.

(6) In sub-paragraph (5) above "minimum fare" means the minimum fare for which a journey from the station in question could validly be made by the person in question.

(7) For the purposes of this Schedule a person is to be taken as transferring from a service provided by a third person to a service to which this Schedule applies if, but only if, having travelled on a train forming part of the former service, he—

(a) goes from that train into a compulsory ticket area and finishes his journey at the station of which that area forms part; or

(b) goes from that train into a compulsory ticket area and from that area boards a train forming part of a service to which this Schedule applies.

(8) For the purposes of sub-paragraph (7)(b) above, in a case where the transfer takes place at a station controlled by a third person, "compulsory ticket area" means such area at that station as corresponds with a compulsory ticket area within the meaning of this Schedule.

Operation of this Schedule

2 (1) This Schedule applies to any local service or train service provided—

(a) by Transport for London or any of its subsidiaries; or

(b) by any other person in pursuance of an agreement entered into by Transport for London under section 156(2) or (3)(a) of this Act, or in pursuance of a transport subsidiary's agreement, which provides that this Schedule is to apply to services provided in pursuance of that agreement.

(2) References in the following provisions of this Schedule to a local service or to a train service are, unless the context otherwise requires, references to a local service or a train service to which this Schedule applies.

(3) The penalty fare provisions have effect in relation to travel on any local service or train service or any part of such a service if an order under sub-paragraph (4) below is for the time being in force in respect of such service or part of a service.

(4) The Mayor may by order provide that the penalty fare provisions shall have effect, as from such day as may be specified in the order, with respect to any local service or train service or any part of any local service or train service, and different days may be specified in any such order with respect to different services or different parts of any service.

(5) The revocation by the Mayor of an order made under sub-paragraph (4) above shall be without prejudice to the power of the Mayor to make further orders under that sub-paragraph as respects any service or part of a service dealt with by the order.

(6) Any activating order made by the Secretary of State under section 3(4) of the [M38]London Regional Transport (Penalty Fares) Act 1992 and in force immediately before the coming into force of sub-paragraph (4) above shall have effect as from the coming into force of that sub-paragraph as if it were an order made by the Mayor under that sub-paragraph.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(7) For the purposes of this Schedule a reference to an agreement entered into by Transport for London under section 156(2) or (3) of this Act includes a reference to an agreement—

(a) which was entered into by London Regional Transport under section 3(2) or (2A) of the [M39]London Regional Transport Act 1984, and

(b) which by virtue of section 300 or 415 of this Act has effect as if made by Transport for London.

Marginal Citations

M38 1992 c. xvi.

M39 1984 c. 32.

Penalty fares on local services

3 (1) If a person travelling on a ticket bus service who has had a reasonable opportunity to obtain a fare ticket for a journey on that service fails to produce a fare ticket or a general travel authority on being required to do so by an authorised person, he shall be liable to pay a penalty fare if required to do so by an authorised person.

(2) If a person travels on a non-ticket bus service without paying the fare properly payable for a journey on that service and, while so travelling, fails to produce a general travel authority on being required to do so by an authorised person, he shall be liable to pay a penalty fare if required to do so by an authorised person.

(3) In this paragraph a "ticket bus service" means a local service on which fare tickets are issued in return for fares paid by persons travelling on that service, and a "non-ticket bus service" means a local service on which fare tickets are not so issued.

Penalty fares on trains

4 (1) Subject to sub-paragraph (2) below, if a person travelling on a train service fails to produce a fare ticket or a general travel authority on being required to do so by an authorised person, he shall be liable to pay a penalty fare if required to do so by an authorised person.

(2) Subject to sub-paragraph (3) below, a person shall not be liable to pay a penalty fare under this paragraph if at the time when and the station where he started to travel on the train service there were no facilities available for the sale of the necessary fare ticket for his journey.

(3) A person who starts to travel on a train service by transferring to that service from a train service provided by a third person shall not be liable to pay a penalty fare under this paragraph if—

(a) on being required to produce a fare ticket or general travel authority he produces a valid deferred fare authority issued by that person; or

(b) at the time when and the station where he started to travel on the train service provided by that person there were no facilities for either the sale of the necessary fare ticket for his journey or the sale of deferred fare authorities.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(4) Without prejudice to sub-paragraphs (2) or (3) above, a person shall not be liable to pay a penalty fare under this paragraph if at the time when and the station where his journey began—

(a) there was displayed a notice (however expressed) indicating that it was permissible for passengers beginning a journey at that station at that time to do so without having a fare ticket or a general travel authority or (in the case of a station controlled by a third person) a deferred fare authority; or

(b) a person in the uniform of the person controlling that station gave permission to the same effect.

(5) In sub-paragraph (3) above, "deferred fare authority" means a ticket or other document described as such on its face; and a deferred fare authority is valid for the purposes of that paragraph if it authorises a person in possession of it to start a journey at the time when and the station where the person producing it started his journey.

(6) Sub-paragraphs (7) and (8) below have effect with respect to the burden of proof in any action for the recovery of a penalty fare under this paragraph, so far as concerns the question whether the facts of the case fall within sub-paragraphs (2), (3)(b) or (4) above.

(7) In any case where the defendant has provided the plaintiff with a relevant statement in due time it shall be for the plaintiff to show that the facts of the case do not fall within sub-paragraph (2), (3)(b) or (4) above and in any other case it shall be for the defendant to show that the facts of the case fall within any of those provisions.

(8) For the purposes of sub-paragraph (7) above—

(a) a relevant statement is a statement giving an explanation of the defendant's failure to produce a fare ticket, general travel authority or (where relevant) deferred fare authority, together with any information as to his journey relevant to that explanation (including, in every case, an indication of the time when and the station where he started to travel on the train service and also, if he started so to travel when he transferred from a train service provided by a third person, the time when and the statio where he started to travel on that service); and

(b) a statement is provided in due time if it is provided when the defendant is required to produce a fare ticket or general travel authority, or at any later time before the expiration of the period of 21 days beginning with the day following the day on which the journey is completed.

Amount of penalty fare

5 [F127(1) Subject to sub-paragraph (2) below, a penalty fare shall be—

(a) in respect of any journey on a local service—

(i) £50 except where sub-paragraph (ii) below applies, or

(ii) £25 if it is paid before the end of the period of 21 days beginning with the day following the day on which the journey is completed; and

(b) in respect of any train journey—

(i) £50 except where sub-paragraph (ii) below applies, or

(ii) £25 if it is paid before the end of the period of 21 days beginning with the day following the day on which the journey is completed,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

and shall in all cases be payable to the person providing the service on which the requirement to pay the relevant fare is made.**]**

(2) The Mayor may by order prescribe that the amount of the penalty fare in **[**[F128]any case**]** set out in sub-paragraph (1) above shall be different (whether higher or lower).

(3) No order may be made by the Mayor under sub-paragraph (2) above unless he has consulted the Secretary of State and—

(a) such persons or bodies representative of local authorities,

(b) such persons or bodies representative of those who travel on local services and train services, and

(c) such other persons or bodies,

as the Mayor considers it appropriate to consult.

Textual Amendments

F127 Sch. 17 para. 5(1) substituted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by Transport for London Act 2008 (c. i), **s. 27(2)** (with s. 27(4)(5))

F128 Words in Sch. 17 para. 5(2) substituted (coming into force in accordance with ss. 1(2), 3 of the amending Act) by Transport for London Act 2008 (c. i), **s. 27(3)** (with s. 27(4)(5))

Documents in connection with penalty fare requirement

6 (1) An authorised person who requires a person (referred to below as "the passenger") to pay a penalty fare shall give him either a receipt for the payment of the amount of the penalty (where the passenger makes that payment to the authorised person) or a notice stating that the requirement has been made.

(2) A receipt or notice given under sub-paragraph (1) above shall specify the passenger's destination on the local service or train service on which he is travelling when required to pay the penalty fare, and shall operate as an authority to him to complete his journey to or at that destination.

(3) For the purposes of sub-paragraph (2) above, the passenger's destination shall (unless he is at that destination or only one destination is possible in the circumstances) be taken to be the destination stated by the passenger or, in default of any statement by him for that purpose, such destination as may be specified by the authorised person.

Supplementary provision

7 **[**[F129](1) A person shall, if required to do so by an authorised person, give his name and address to him if—

(a) he is required by the authorised person to pay a penalty fare, or

(b) he would be liable to pay a penalty fare if so required by the authorised person.**]**

(2) A person failing to give his name and address when required to do so under sub-paragraph (1) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(3) Transport for London shall secure that the requirements of sub-paragraph (4) or, as the case may be, (5) below with respect to warning notices are met in the case of a

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

local service or train service in relation to travel on which the penalty fare provisions have effect.

(4) In the case of a local service, a warning notice meeting the requirements of sub-paragraphs (6) and (7) below shall be posted in every vehicle used in providing that service or, where any such vehicle has more than one deck, on each deck of that vehicle, in such a position as to be readily visible to persons travelling on the vehicle.

(5) In the case of a train service, a warning notice meeting the requirements of sub-paragraphs (6) and (7) below shall be posted—

(a) at every station at which persons may start to travel on that service, in such a position as to be readily visible to prospective passengers; and

(b) in every carriage of every train used in providing that service in such a position as to be readily visible to passengers travelling in the carriage.

(6) A warning notice posted pursuant to sub-paragraph (4) or (5) above shall (however expressed) indicate the circumstances (as provided in paragraph 3(1) or (2) above or, as the case may be, paragraph 4(1) above) in which persons travelling on the service in question may be liable to pay a penalty fare.

(7) Every warning notice posted in pursuance of this paragraph shall state the amount of the relevant penalty fare.

(8) Where an authorised person requires any person to do anything pursuant to any provision of this Schedule he shall, if so requested by the person concerned, produce to that person a duly authenticated document showing his authority.

(9) A requirement by an authorised person shall be of no effect if, as respects that requirement, he fails to comply with sub-paragraph (8) above.

Textual Amendments

F129 Sch. 17 para. 7(1) substituted (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), **28(2)**

Exclusion of double liability

8 (1) Where a person has become liable under paragraph 3 or 4 above to pay a penalty fare in respect of any journey on a local service or any train journey (referred to below as "the relevant journey"), no proceedings may be brought against him for any of the offences specified in sub-paragraph (3) below before the end of the period mentioned in paragraph 5(1) above.

(2) No proceedings may be brought after the end of that period if—

(a) before the end of that period, the person who has become liable to pay the penalty fare has paid it to the person providing the service on which the requirement to pay it was made; or

(b) an action has been brought against the person who has become liable to pay the penalty fare for the recovery of that fare.

(3) The offences mentioned in sub-paragraph (1) above are—

(a) any offence under section 5(3)(a) or (b) of the [M40]Regulation of Railways Act 1889 (travelling without paying the correct fare with intent to avoid payment) arising from the relevant journey;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) any offence under byelaws made under section 67 of the [M41]Transport Act 1962 or paragraph 26 of Schedule 11 to this Act (byelaws for railways, etc.) involving a failure to obtain or produce a fare ticket or general travel authority for the relevant journey; and

(c) any offence under section 25(3) of the [M42]Public Passenger Vehicles Act 1981 of contravening or failing to comply with any provision of regulations for the time being having effect by virtue of that section by failing to pay the fare properly payable for the relevant journey or any part of it.

(4) If proceedings are brought in contravention of this paragraph the person who has become liable to pay the penalty fare shall cease to be liable to pay it, but where that person has paid that fare, the person to whom it is paid shall be liable to repay to that person the amount of that fare.

Marginal Citations

M40 1889 c. 57.
M41 1962 c. 46.
M42 1981 c. 14.

Power to apply Schedule to certain other train services

9 (1) This paragraph applies to any services for the carriage of passengers by railway which do not fall within paragraph 2(1) above but which—

(a) are provided wholly within Greater London; and

(b) are services, or services of a class or description, designated in an order made by the Secretary of State as services in relation to which this paragraph is to apply;

and in the following provisions of this paragraph any such services are referred to as "qualifying train services".

(2) The Mayor may, on the application of a person who provides qualifying train services, by order provide that this Schedule shall apply, from such date and with such modifications as may be specified in the order, to qualifying train services provided by that person.

(3) The power to make an order under sub-paragraph (2) above includes power, exercisable in the same manner and subject to the same conditions and limitations, to revoke, amend or re-enact any such order.

(4) Without prejudice to sub-paragraph (3) above, an order under sub-paragraph (2) above may specify circumstances in which the order shall cease to have effect before the expiry of any period specified in such an order.

(5) An order under sub-paragraph (2) above, and any order revoking, amending or re-enacting such an order, may contain such incidental, supplemental, consequential or transitional provision as may appear to the Mayor to be necessary or expedient.

(6) Where a person makes an application for an order under sub-paragraph (2) above, or for an order revoking, amending or re-enacting such an order, the Mayor may recover from that person payments in respect of the administrative costs reasonably incurred in connection with—

(a) the application, and

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) if an order is made as a result of the application, the making of the order,

not exceeding £5,000 in the aggregate.

(7) The Mayor shall secure that any order under sub-paragraph (2) above, and any order revoking, amending or re-enacting any such order, is printed and published.

(8) A fee may be charged for the sale of an order printed and published under sub-paragraph (7) above.

(9) Where any services become qualifying services by virtue of an order under sub-paragraph (1)(b) above, any order which—

(a) is contained in a statutory instrument made by the Secretary of State,

(b) makes provision for or in connection with the imposition of penalty fares on passengers travelling on those services, and

(c) is in force immediately before this paragraph begins to apply to the services by virtue of the order under sub-paragraph (1)(b) above,

may, so far as relating to those services, be revoked under this paragraph as if it were an order under sub-paragraph (2) above.

(10) This paragraph applies in relation to a tramway as it applies in relation to a railway.

(11) In this paragraph "railway" and "tramway" have the meaning given by section 67(1) of the [M43]Transport and Works Act 1992.

Modifications etc. (not altering text)

C15 Sch. 17 para. 9(1) applied (13.3.2012) by The London Cable Car Order 2012 (S.I. 2012/472), arts. 1, **7**

Commencement Information

I32 Sch. 17 para. 9 wholly in force at 3.7.2000: Sch. 17 para. 9 in force at Royal Assent for certain purposes see s.425(2); Sch. 17 para. 9 in force (3.7.2000) in so far as not already in force by S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**

Marginal Citations

M43 1992 c. 42.

Appeals

10 (1) If requested to do so by the Mayor, the Secretary of State shall by regulations make provision enabling a person required to pay a penalty fare to appeal against that requirement.

(2) Regulations under this paragraph may include provision—

(a) for appeals to be heard and determined by independent adjudicators,

(b) for the appointment of such adjudicators,

(c) for requiring Transport for London to reconsider, before an appeal is determined, whether the appellant should be required to pay the penalty fare, and

(d) for the adjudicator's directions in relation to an appeal to be binding upon Transport for London and the appellant.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I33 Sch. 17 para. 10 in force at 15.7.2003 in so far as not already in force by S.I. 2003/1920, **art. 2(g)**

Repeal of London Regional Transport (Penalty Fares) Act 1992

11 The [M44]London Regional Transport (Penalty Fares) Act 1992 shall cease to have effect.

Commencement Information

I34 Sch. 17 para. 11 in force at 15.7.2003 by S.I. 2003/1920, **art. 2(g)**

Marginal Citations

M44 1992 c. xvi

SCHEDULE 18

Section 247.

LONDON TRANSPORT USERS' COMMITTEE

Chairman [[F130]and other members]

Textual Amendments

F130 Sch. 18: words in cross-heading preceding para. 1 inserted (1.2.2001) by 2000 c. 38, s. 252, **Sch. 27 para. 62(1)(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in Sch. 2 Pt. II)

1 If the Assembly so determines, there shall be paid to the chairman **[**[F131]and other members**]** of the Committee such remuneration as the Assembly may determine.

Textual Amendments

F131 Words in Sch. 18 para. 1 inserted (1.2.2001) by 2000 c. 38, s. 252, **Sch. 27 para. 62(1)(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in Sch. 2 Pt. II)

2 If the Assembly so determines in the case of a person who has been remunerated under paragraph 1 **[**[F132]above as chairman**]** a pension shall be paid to or in respect of that person, or payments towards the provision of a pension to or in respect of that person shall be made, in accordance with the determination.

Textual Amendments

F132 Words in Sch. 18 para. 2 substituted (1.2.2001) by 2000 c. 38, s. 252, **Sch. 27 para. 62(1)(3)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in Sch. 2 Pt. II)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

3 If a person in receipt of remuneration under paragraph 1 above as chairman **[**[F133]or another member**]**ceases to hold that office, and it appears to the Assembly that there are special circumstances which make it right that that person should receive compensation, he shall be paid by way of compensation a sum of such amount as the Assembly may determine.

Textual Amendments

F133 Words in Sch. 18 para. 3 inserted (1.2.2001) by 2000 c. 38, s. 252, **Sch. 27 para. 62(1)(4)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in Sch. 2 Pt. II)

4 The Assembly shall provide the Committee with funds with which to make payments in accordance with any determination made by the Assembly under paragraphs 1 to 3 above.

Officers

5 (1) The Committee may appoint such officers as appear to the Committee to be requisite for the performance of their functions.

(2) Appointments made under sub-paragraph (1) are—

(a) to be made in accordance with any rules of appointment made by the Authority, and

(b) subject to the approval of the Assembly.

Remuneration

6 (1) The Assembly shall provide the Committee with funds with which to pay—

(a) to their members, such travelling and other allowances as the Assembly may determine, and

(b) to their officers, such remuneration and such travelling and other allowances as the Committee may with the approval of the Assembly determine.

(2) The Assembly shall provide the Committee with funds with which to defray such other expenses in connection with the Committee's functions as the Assembly may determine to be appropriate.

(3) The Committee shall prepare and send to the Assembly not less than two months, or such other period as the Assembly may specify, before the beginning of each financial year a statement of the expenses which they expect to incur in respect of that year for the purposes of, or in connection with, the carrying on of their functions.

(4) The Assembly shall consider any statement sent to it under sub-paragraph (3) above and shall either approve the statement or approve it with such modifications as it considers appropriate.

Pensions

7 (1) There shall be paid such pensions, or arrangements shall be made for the payment of such pensions, as the Assembly may determine to or in respect of such persons who are or have been officers of the Committee as the Assembly may determine.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) The Assembly shall provide the Committee with funds with which to pay any such pension or to finance any such arrangements.

Accounts

8 (1) The Committee shall keep accounting records which—

(a) set out and explain the Committee's financial transactions,

(b) disclose with reasonable accuracy the financial status of the Committee at any time, and

(c) enable the Committee to comply with the requirements of this Act in preparing any statement of accounts.

(2) The Committee shall prepare in respect of each financial year a statement of accounts giving a true and fair view of—

(a) the Committee's financial status at the end of that year, and

(b) the Committee's income and expenditure for that year.

(3) If the Assembly issues guidance to the Committee as to the preparation of a statement of accounts, the Committee shall prepare the statement of accounts in compliance with the direction.

(4) A statement of accounts shall be audited by a person appointed by the Assembly as auditor to do so.

(5) A person shall not be qualified to be appointed as auditor unless—

(a) he is eligible for appointment as a **[**[F134]statutory auditor under Part 42 of the Companies Act 2006**]** (eligibility for appointment as company auditor), and

[[F135](b) if the appointment were an appointment as a statutory auditor, he would not be prohibited from acting by section 1214 of that Act (independence requirement).**]**

(6) As soon as reasonably practicable after a statement of accounts has been audited, the auditor shall send a copy to the Assembly.

(7) The Committee's financial year shall be such period as may be determined by the Assembly and notified to the Committee.

Textual Amendments

F134 Words in Sch. 18 para. 8(5)(a) substituted (6.4.2008) by The Companies Act 2006 (Consequential Amendments etc) Order 2008 (S.I. 2008/948), art. 2(2), **Sch. 1 para. 24(2)** (with arts. 6, 11, 12)

F135 Sch. 18 para. 8(5)(b) substituted (6.4.2008) by The Companies Act 2006 (Consequential Amendments etc) Order 2008 (S.I. 2008/948), art. 2(2), **Sch. 1 para. 24(3)** (with arts. 6, 11, 12)

Accommodation

9 The Assembly may after consultation with the **[**[F136]Secretary of State**]** make arrangements for the Committee to be provided with office accommodation.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F136 Words in Sch. 18 para. 9 substituted (24.7.2005) by Railways Act 2005 (c. 14), s. 60(2), **Sch. 12 para. 14(9)**; S.I. 2005/1909, art. 2, Sch.

Constitution and procedure

10 (1) The persons appointed to be members of the Committee shall hold and vacate office in accordance with the terms of their respective appointments and shall, on ceasing to be members of the Committee, be eligible for reappointment.

(2) Any person so appointed may at any time by notice in writing to the Assembly resign his office.

11 (1) The Committee shall meet—

(a) at least twice a year; and

(b) whenever convened by the chairman.

(2) Without prejudice to the discretion of the chairman to call a meeting whenever he thinks fit, he shall call a meeting when required to do so by any three members of the Committee.

(3) Minutes shall be kept of the proceedings of every meeting of the Committee; and copies of those minutes shall be sent to the Assembly, the **[**[F137]Secretary of State**]** and the **[**[F138]Passengers' Council**]**.

(4) Subject to the provisions of this Schedule the Committee shall determine their own procedure (including the quorum at meetings of the Committee).

Textual Amendments

F137 Words in Sch. 18 para. 11 substituted (24.7.2005) by Railways Act 2005 (c. 14), s. 60(2), **Sch. 12 para. 14(9)**; S.I. 2005/1909, art. 2, Sch.

F138 Words in Sch. 18 para. 11(3) substituted (E.W.S.) (25.2.2010) by The Passengers' Council (Non-Railway Functions) Order 2010 (S.I. 2010/439), art. 1, **Sch. para. 7(5)**

12 The Committee may delegate the exercise and performance of any of their functions to such sub-committees of the Committee as they think fit.

13 (1) A sub-committee of the Committee may with the consent of the Assembly include persons who are not members of the Committee.

(2) Where a person who is not a member of the Committee is a member of such a sub-committee, the Committee may pay to that person such travelling and other allowances in respect of that person's membership of the sub-committee as the Committee may determine.

14 The validity of any proceedings of the Committee shall not be affected by any vacancy amongst the members or by any defects in the appointment of a member.

Admission of public to meetings.

15 (1) Subject to sub-paragraph (2) below, meetings of the Committee shall be open to the public.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) The public shall be excluded during any item of business where—

(a) it is likely, were members of the public to be present during that item, that information furnished in confidence to the Committee by **[**[F139]the Office of Rail and Road**]** or the **[**[F140]Secretary of State**]** would be disclosed in breach of the obligation of confidence;

(b) the Committee have resolved that, by reason of the confidential nature of the item or for other special reasons stated in the resolution, it is desirable in the public interest that the public be excluded; or

(c) it is likely, were members of the public to be present during that item, that there would be disclosed to them—

(i) any matter which relates to the affairs of an individual, or

(ii) any matter which relates specifically to the affairs of a particular body of persons, whether corporate or unincorporate,

where public disclosure of that matter would or might, in the opinion of the committee, seriously and prejudicially affect the interests of that individual or body.

(3) The Committee shall give such notice—

(a) of any meeting of the Committee which is open to the public, and

(b) of the business to be taken at that meeting (other than items during which the public is to be excluded),

as they consider appropriate for the purpose of bringing the meeting to the attention of interested members of the public.

Textual Amendments

F139 Words in Sch. 18 para. 15(2)(a) substituted (16.10.2015) by The Office of Rail Regulation (Change of Name) Regulations 2015 (S.I. 2015/1682), reg. 1(2), **Sch. para. 4(n)(vii)**

F140 Words in Sch. 18 para. 15 substituted (24.7.2005) by Railways Act 2005 (c. 14), s. 60(2), **Sch. 12 para. 14(9)**; S.I. 2005/1909, art. 2, Sch.

Investigation of complaints

16 (1) Section 25 of the [M45]Local Government Act 1974 (authorities subject to investigation by the Commission for Local Administration) shall be amended as follows.

(2) In subsection (1)—

(a) the word "and" preceding paragraph (d) shall cease to have effect; and

(b) at the end of paragraph (d) there shall be inserted "; and

(e) the London Transport Users' Committee."

[F141](3) . . . . . .

Textual Amendments

F141 Sch. 18 para. 16(3) repealed (1.4.2008) by Local Government and Public Involvement in Health Act 2007 (c. 28), s. 245(5), **Sch. 18 Pt. 14**; S.I. 2008/917, art. 2(v)(ii)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations

M45 1974 c. 7.

Interpretation

F142 17 . . . . . .

Textual Amendments

F142 Sch. 18 para. 17 repealed (1.2.2001) by 2000 c. 38, ss. 252, 274, Sch. 27 para. 62(7), **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in Sch. 2 Pt. II)

SCHEDULE 19

Section 252.

AMENDMENT OF ENACTMENTS RELATING TO THE LONDON REGIONAL PASSENGERS' COMMITTEE

The Transport Act 1962

F143 1 . . . . . .

Textual Amendments

F143 Sch. 19 para. 1 repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in Sch. 2 Pt. II)

The Chronically Sick and Disabled Persons Act 1970

2 In section 14 of the M46 Chronically Sick and Disabled Persons Act 1970 (regard to be had to the desirability of appointing persons with experience of the needs of disabled persons to statutory committees) for "London Regional Passengers' Committee" there shall be substituted " London Transport Users' Committee ".

Marginal Citations

M46 1970 c. 44.

The House of Commons Disqualification Act 1975

F144 3 . . . . . .

Textual Amendments

F144 Sch. 19 para. 3 repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in Sch. 2 Pt. II)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

The Transport Act 1985

F145 4 . . . . . .

Textual Amendments

F145 Sch. 19 para. 4 repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to transitional provisions and savings in Sch. 2 Pt. II)

The Railways Act 1993

F146 5 . . . . . .

Textual Amendments

F146 Sch. 19 para. 5 repealed (24.7.2005) by Railways Act 2005 (c. 14), s. 60(2), **Sch. 13 Pt. 1** (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2005/1909, art. 2, Sch.

SCHEDULE 20

Section 253.

HACKNEY CARRIAGES

PART I

TRANSFERS OF FUNCTIONS AND AMENDMENTS

The London Hackney Carriages Act 1843

1 (1) All the jurisdiction, powers, authorities, privileges, interests and duties which, immediately before the coming into force of this paragraph, were vested in or exercisable by the Commissioners of Police of the Metropolis by virtue of section 2 of the [M47]London Hackney Carriages Act 1850 (transfer of functions of registrar of metropolitan public carriages to Commissioners of Police of the Metropolis) are transferred to and vested in Transport for London by this sub-paragraph.

(2) The [M48]London Hackney Carriages Act 1843 shall accordingly be amended as follows.

(3) For "the registrar" and "the said registrar", wherever occurring, there shall be substituted " Transport for London ".

(4) In section 18 (licences and tickets to be delivered up on discontinuance of licence) for "him" there shall be substituted " Transport for London ".

(5) In section 19 (new tickets to be delivered instead of defaced or lost tickets) for "for the use of Her Majesty" there shall be substituted " to Transport for London ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M47 1850 c. 7.
M48 1843 c. 86.

The London Hackney Carriages Act 1850

2 (1) The [M49]London Hackney Carriages Act 1850 shall be amended as follows.

(2) In section 4 (standings for hackney carriages to be appointed and regulated by the Commissioners of Police of the Metropolis)—

(a) for "the said Commissioners of Police" and, where first and second occurring, "the said commissioners" there shall be substituted " Transport for London ";

(b) for "signed by one of the said commissioners" there shall be substituted " signed by a person authorised for the purpose by Transport for London ";

(c) for "the office of the Commissioners of Police in the City of Westminster" there shall be substituted " the offices of Transport for London ";

(d) for "the signature of the said commissioner" there shall be substituted " the aforesaid signature ".

Marginal Citations
M49 1850 c. 7.

The London Hackney Carriage Act 1853

3 (1) The [M50]London Hackney Carriage Act 1853 shall be amended as follows.

(2) In section 2 (powers of inspection of carriages etc) for—

(a) "the said Commissioners of Police", and

(b) "the said commissioners", in both places where those words occur,

there shall be substituted " Transport for London ".

(3) In section 17 (penalties for offences) in paragraph 1 (excessive fares and refusal to carry authorised number of passengers or reasonable quantity of luggage) for "the said Commissioners of Police" there shall be substituted " Transport for London ".

(4) In section 20 (powers of Commissioners of Police etc) for the words from the beginning to "appoint; and" there shall be substituted " In this Act ".

Marginal Citations
M50 1853 c. 33.

The London Hackney Carriage (No. 2) Act 1853

[F147]4 . . . . . .

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F147 Sch. 20 para. 4 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 14**

The Metropolitan Public Carriage Act 1869

5 (1) The [M51]Metropolitan Public Carriage Act 1869 shall be amended as follows.

(2) In section 4 (interpretation)—

(a) for the definition of "Prescribed" there shall be substituted the following definitions—

""London cab order" shall mean an order made by Transport for London.

"Prescribed" shall mean prescribed by London cab order."; and

(b) at the end of the section there shall be added the following paragraph—

"Any power to make a London cab order under this Act includes power to vary or revoke a previous such order."

(3) For section 6 (grant of hackney carriage licences) there shall be substituted—

"**6 Grant of hackney carriage licences.**

(1) Transport for London shall have the function of licensing to ply for hire within the limits of this Act hackney carriages, to be distinguished in such manner as may be prescribed.

(2) A licence under this section may—

(a) be granted on such conditions,

(b) be in such form,

(c) be subject to revocation or suspension in such event, and

(d) generally be dealt with in such manner,

as may be prescribed.

(3) Subsection (2) of this section is subject to the following provisions of this section.

(4) A licence under this section shall, if not revoked or suspended, be in force for one year.

(5) A fee of such amount (if any) as Transport for London may determine shall be paid to Transport for London—

(a) by any applicant for a licence under this section, on making the application for the licence;

(b) by any applicant for the taking or re-taking of any test or examination, or any part of a test or examination, with respect to any matter of fitness, on making the application for the taking or re-taking of the test, examination or part; and

(c) by any person granted a licence under this section, on the grant of the licence.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(6) In paragraph (b) of subsection (5) of this section "matter of fitness" means—
  (a) any matter as respects which Transport for London must be satisfied before granting a licence under this section; or
  (b) any matter such that, if Transport for London is not satisfied with respect to the matter, they may refuse to grant a licence under this section.

(7) Different amounts may be determined under subsection (5) of this section for different purposes or different cases.

(8) Transport for London may remit or refund the whole or part of a fee under subsection (5) of this section.

(9) Provision shall be made by London cab order—
  (a) for the transfer of a licence under this section to the widow or to any child of full age of any person to whom such a licence has been granted who may die during the continuance of the licence leaving a widow or child of full age; and
  (b) for the transfer of a licence under this section to the husband of any woman to whom such a licence has been granted and who marries during the continuance of the licence."

(4) In section 7 (penalty on use of unlicensed carriage) the words "by the said Secretary of State" shall cease to have effect.

(5) For section 8 (hackney carriage to be driven by licensed drivers) there shall be substituted—

"**8 Hackney carriage to be driven by licensed drivers.**

(1) Transport for London shall have the function of licensing persons to be drivers of hackney carriages.

(2) No hackney carriage shall ply for hire within the limits of this Act unless under the charge of a driver having a licence under this section from Transport for London.

(3) If any hackney carriage plies for hire in contravention of this section—
  (a) the person driving the carriage, and
  (b) the owner of the carriage, unless he proves that the driver acted without his privity or consent,

shall each be liable to a penalty not exceeding level 3 on the standard scale.

(4) Transport for London may send to the Commissioner of Police of the Metropolis or the Commissioner of Police for the City of London—
  (a) details of a person to whom Transport for London is considering granting a licence under this section, and
  (b) a request for the Commissioner's observations;

and the Commissioner shall respond to the request.

(5) A licence under this section may—
  (a) be granted on such conditions,
  (b) be in such form,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(c) be subject to revocation or suspension in such event, and

(d) generally be dealt with in such manner,

as may be prescribed.

(6) Subsection (5) of this section is subject to the following provisions of this section.

(7) A licence under this section shall, if not revoked or suspended, be in force for three years.

(8) A fee of such amount (if any) as Transport for London may determine shall be paid to Transport for London—

(a) by any applicant for a licence under this section, on making the application for the licence;

(b) by any applicant for the taking or re-taking of any test or examination, or any part of a test or examination, with respect to any matter of fitness, on making the application for the taking or re-taking of the test, examination or part; and

(c) by any person granted a licence under this section, on the grant of the licence.

(9) In paragraph (b) of subsection (8) of this section "matter of fitness" means—

(a) any matter as respects which Transport for London must be satisfied before granting a licence under this section; or

(b) any matter such that, if Transport for London is not satisfied with respect to the matter, they may refuse to grant a licence under this section.

(10) Different amounts may be determined under subsection (8) of this section for different purposes or different cases.

(11) Transport for London may remit or refund the whole or part of a fee under subsection (8) of this section."

(6) In section 9 (regulations as to hackney and stage carriages)—

(a) for "The said Secretary of State may from time to time by order" there shall be substituted " Transport for London may from time to time by London cab order ";

(b) in paragraph (1) of the restrictions (consents required for stands in the City appointed by the Secretary of State) for "the Secretary of State" there shall be substituted " Transport for London "; and

(c) at the end of the restrictions there shall be added—

"(4) Any power of Transport for London to fix by regulations made by London cab order under this section any rates or fares to be paid for hackney carriages is exercisable subject to and in accordance with any directions given to Transport for London by the Mayor of London as to the basis on which those rates or fares are to be calculated."

(7) In section 10 (power of Secretary of State to annex penalty for breach of order) for "Where the Secretary of State is authorised to make any order under this Act, he" there shall be substituted " Where Transport for London is authorised to make a London cab order under this Act, Transport for London ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(8) For section 11 (other persons by whom licences may be granted) there shall be substituted—

"**11 Grant of licences by other persons at direction of TfL.**

Any licence which may be granted by Transport for London under this Act may, if Transport for London so directs, be granted by such person as may be appointed for the purpose in the direction."

(9) In section 12 (powers to carry Act into execution)—

(a) for "The said Secretary of State" there shall be substituted " Transport for London "; and

(b) for "he", in both places where it occurs, there shall be substituted " Transport for London ".

(10) In section 14 (power to affix placards etc to lamp posts) for "The Commissioner of the Metropolitan Police" there shall be substituted " Transport for London ".

(11) In section 15 (existing Acts to continue in force) for "by any order or regulation of the said Secretary of State" there shall be substituted " by any London cab order ".

Marginal Citations

M51 1869 c. 115.

The London Cab and Stage Carriage Act 1907

6 (1) The [M52]London Cab and Stage Carriage Act 1907 shall be amended as follows.

(2) In section 1(1) (power of Secretary of State to fix, by order under section 9 of the 1869 Act, fares for cabs fitted with taximeters)—

(a) for "The Secretary of State" there shall be substituted " Transport for London ";

(b) after "regulations made" there shall be inserted " by London cab order ".

(3) At the end of section 1 there shall be inserted—

"(3) The power conferred by subsection (1) of this section is subject to paragraph (4) of the restrictions specified in section nine of the said Act of 1869."

(4) In section 2 (abolition of privileged cab system)—

(a) in subsection (1) (charges for admission to railway station not to exceed sum allowed by Secretary of State) for "the Secretary of State" there shall be substituted " Transport for London "; and

(b) in subsection (2) (power of Secretary of State by order to suspend or modify the section in relation to a station if satisfied of insufficient supply of cabs at the station)—

(i) for "the Secretary of State", in both places, there shall be substituted " Transport for London "; and

(ii) for "by order" there shall be substituted " by London cab order ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(5) In section 6 (definitions) in subsection (1)—

(a) after the definition of the expression "fare" there shall be inserted " the expression "London cab order" has the same meaning as in the Metropolitan Public Carriage Act 1869 "; and

(b) in the definition of "taximeter" (which requires the device to be approved by or on behalf of the Secretary of State) for "the Secretary of State" there shall be substituted " Transport for London ".

(6) At the end of that section there shall be added—

"(4) Any power to make a London cab order under or by virtue of this Act includes power to vary or revoke a previous such order."

Marginal Citations

M52 1907 c. 55.

The London Cab Act 1968

7 (1) The [M53]London Cab Act 1968 shall be amended as follows.

(2) In section 1(1) (which extends the power of the Secretary of State to set fares under the Acts of 1869 and 1907) for "the Secretary of State" there shall be substituted " Transport for London ".

(3) After subsection (1) of section 1 there shall be inserted—

"(1A) The power conferred by subsection (1) of this section is subject to paragraph (4) of the restrictions specified in section 9 of the said Act of 1869."

(4) In section 2 (power to increase length of obligatory journeys)—

(a) in subsection (1) (the power)—

(i) for "The Secretary of State" there shall be substituted " Transport for London ";

(ii) for "by order" there shall be substituted " by London cab order "; and

(ii) for "him" there shall be substituted " Transport for London ";

(b) in subsection (2) (power to limit application of order) for "An order" there shall be substituted " A London cab order ";

(c) in subsection (3) (power includes power to vary or revoke previous orders and is exercisable by statutory instrument subject to negative parliamentary procedure)—

(i) for "orders" there shall be substituted " London cab orders ";

(ii) after "previous" there shall be inserted " such "; and

(iii) the words from "and shall be exercisable" to the end of the subsection shall cease to have effect; and

(d) in subsection (4) (duty to consult before making order)—

(i) for "any order" there shall be substituted " any London cab order ";

(ii) for "the Secretary of State" there shall be substituted " Transport for London "; and

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(iii) for "him" and "he" there shall be substituted " Transport for London ".

(5) In section 4A (power of Secretary of State by order to prohibit signs etc on private hire cars)—

(a) in subsection (1)—

(i) for "The Secretary of State" there shall be substituted " Transport for London "; and

(ii) for "by order" there shall be substituted " by London cab order ";

(b) in subsection (2), for "by an order" there shall be substituted " by a London cab order ";

(c) in subsection (3) (power includes power to vary or revoke previous orders and is exercisable by statutory instrument subject to negative parliamentary procedure)—

(i) for "orders" there shall be substituted " London cab orders ";

(ii) after "previous" there shall be inserted " such "; and

(iii) the words from "and shall be exercisable" to the end of the subsection shall cease to have effect;

(d) in subsection (4) (duty to consult before making order)—

(i) for "order" there shall be substituted " London cab order ";

(ii) for "the Secretary of State" there shall be substituted " Transport for London "; and

(iii) for "him" and "he" there shall be substituted " Transport for London "; and

(e) in subsection (5) (relationship to section 4) for "an order" there shall be substituted " a London cab order ".

(6) After section 4A there shall be inserted—

"**4B London cab orders.**

(1) In this Act, "London cab order" means an order made by Transport for London.

(2) Any power to make a London cab order under or by virtue of this Act includes power to vary or revoke a previous such order."

Marginal Citations

M53 1968 c. 7.

The Transport Act 1985

8 (1) The [M54]Transport Act 1985 shall be amended as follows.

(2) In section 10 (immediate hiring of taxis at separate fares)—

(a) in subsection (3)(a) (meaning of "licensing authority" in relation to the London taxi area) for "the Secretary of State", in both places, there shall be substituted " Transport for London ";

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) in subsection (5)(c), the words "if made otherwise than by the Secretary of State" shall cease to have effect;

(c) in subsection (8), the words "Except in the case of a scheme made by the Secretary of State," shall cease to have effect; and

(d) subsection (10) (power of Secretary of State to make scheme exercisable by order) shall cease to have effect.

(3) In section 17 (London taxi and taxi driver licensing: appeals)—

(a) in subsections (2), (5), (8)(a) and (b) and (9) (which relate to reconsideration or appeal within the prescribed period) for "prescribed period", in each place, there shall be substituted " designated period ";

(b) in subsection (10), after the definition of "the appropriate court" there shall be inserted the following definitions—

""designated period" means such period as may be specified for the purpose by London cab order;

"London cab order" means an order made by Transport for London"; and

(c) after subsection (10) there shall be added—

"(11) Any power to make a London cab order under this section includes power to vary or revoke a previous such order."

Marginal Citations
M54 1985 c. 67.

PART II

TRANSITIONAL PROVISIONS

Saving

9 This Part of this Schedule is without prejudice to the provision that may be made under any power conferred on a Minister of the Crown by this Act to make subordinate legislation, within the meaning of the [M55]Interpretation Act 1978.

Marginal Citations
M55 1978 c. 30.

The London Hackney Carriages Act 1843

10 (1) Any licence to act as driver of hackney carriages—

(a) which was issued under section 8 of the [M56]London Hackney Carriages Act 1843 by or on behalf of the Commissioner of Police of the Metropolis, and

(b) which is in force immediately before the coming into force of paragraph 1 above,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

shall have effect as from the coming into force of that paragraph as if it had been issued by Transport for London.

(2) Any metal ticket—

(a) which was issued under that section by or on behalf of the Commissioner of Police of the Metropolis, and

(b) which is in force immediately before the coming into force of paragraph 1 above,

shall have effect as from the coming force of that paragraph as if it had been issued by Transport for London.

Marginal Citations

M56 1843 c. 86.

The London Hackney Carriages Act 1850

11 Any regulations made or other thing done under section 4 of the [M57]London Hackney Carriages Act 1850 by or on behalf of a Commissioner of Police of the Metropolis and in force or otherwise having effect immediately before the coming into force of paragraph 2 above shall have effect as from the coming into force of that paragraph as if made or done by or, in the case of a signature, by a person authorised for the purpose by, Transport for London.

Marginal Citations

M57 1850 c. 7.

The London Hackney Carriage Act 1853

12 Any notice given under section 2 of the [M58]London Hackney Carriage Act 1853 and having effect immediately before the coming into force of sub-paragraph (2) of paragraph 3 above shall have effect as from the coming into force of that sub-paragraph as a notice given by Transport for London.

Marginal Citations

M58 1853 c. 33.

The London Hackney Carriage (No. 2) Act 1853

[F148]13 . . . . . .

Textual Amendments

F148 Sch. 20 para. 13 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 14**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

The Metropolitan Public Carriage Act 1869

14 (1) Any order—

(a) made by or on behalf of the Secretary of State under or by virtue of any enactment contained in the [M59]Metropolitan Public Carriage Act 1869, and

(b) in force immediately before the coming into force of any provision of **[**[F149]paragraph 5**]** above in relation to that enactment,

shall, to the extent that the provision made by the order could be made by Transport for London, have effect as from the coming into force of that provision in relation to that enactment as a London cab order, but with the substitution for references to the Secretary of State of references to Transport for London.

(2) Any licence granted under section 6 or 8 of that Act and in force immediately before the coming into force of sub-paragraph (3) or (5) of paragraph 5 above in relation to that section shall have effect as from the coming into force of that sub-paragraph in relation to that section as a licence granted under that section by Transport for London.

(3) Any suspension or revocation of a licence under section 6 or 8 of that Act having effect immediately before the coming into force of sub-paragraph (3) or (5) of paragraph 5 above shall have effect as from the coming into force of that sub-paragraph in relation to that section as the suspension or revocation of the licence by Transport for London.

(4) Any appointment made under section 12 of that Act by the Secretary of State and in force immediately before the coming into force of sub-paragraph (9) of paragraph 5 above shall have effect as from the coming into force of that sub-paragraph as an appointment made by Transport for London.

Textual Amendments

F149 Words in Sch. 20 para. 14(1)(b) substituted (4.7.2016) by Transport for London Act 2016 (c. i), ss. 1(1), **7**

Marginal Citations

M59 1869 c. 115.

The London Cab and Stage Carriage Act 1907

15 (1) Any regulations made by the Secretary of State by order by virtue of section 1 of the [M60]London Cab and Stage Carriage Act 1907 and in force immediately before the coming into force of sub-paragraph (2) of paragraph 6 above shall have effect as from the coming into force of that paragraph as regulations made by London cab order by virtue of that section.

(2) Any sum for the time being allowed by the Secretary of State under subsection (1) of section 2 of that Act immediately before the coming into force of paragraph (a) of sub-paragraph (4) of paragraph 6 above shall have effect as from the coming into force of that paragraph as the sum for the time being allowed under that subsection by Transport for London until such time as Transport for London allow a different sum.

(3) Any order made by the Secretary of State under section 2 of that Act and in force immediately before the coming into force of paragraph (b) of sub-paragraph (4) of

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

paragraph 6 above shall have effect as from the coming into force of that paragraph as a London cab order.

(4) Any approval given by or on behalf of the Secretary of State for the purposes of the definition of "taximeter" in section 6(1) of that Act and in force immediately before the coming into force of the amendment made by paragraph (b) of sub-paragraph (5) of paragraph 6 above shall have effect as from the coming into force of that amendment as an approval given by Transport for London.

Marginal Citations
M60 1907 c. 55.

The London Cab Act 1968

16 (1) Any order made by the Secretary of State under section 2 of the [M61]London Cab Act 1968 and in force immediately before the coming into force of paragraph (a) of sub-paragraph (4) of paragraph 7 above shall have effect as from the coming into force of that paragraph as a London cab order.

(2) Any order made by the Secretary of State under section 4A of that Act and in force immediately before the coming into force of paragraph (a) of sub-paragraph (5) of paragraph 7 above shall have effect as a London cab order as from the coming into force of that paragraph.

Marginal Citations
M61 1968 c. 7.

The Transport Act 1985

17 (1) Any scheme made under section 10 of the Transport Act 1985 by the Secretary of State and in force immediately before the coming into force of paragraph (a) of sub-paragraph (2) of paragraph 8 above shall have effect as from the coming into force of that paragraph as a scheme made by Transport for London.

(2) Any regulations prescribing a period for the purposes of a provision of that Act specified in paragraph (a) of sub-paragraph (3) of paragraph 8 above and in force immediately before the coming into force of that paragraph shall, until such time as a period is specified by London cab order for the purposes of that provision, continue in force and have effect as if the period so prescribed were the period specified for the purposes of that provision by London cab order.

SCHEDULE 21

Section 254.

THE PRIVATE HIRE VEHICLES (LONDON) ACT 1998

1 The [M62]Private Hire Vehicles (London) Act 1998 shall be amended as follows.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M62 1998 c. 34.

2 Except in sections 37, 38 and 40, for "Secretary of State", wherever occurring, there shall be substituted " licensing authority ".

3 In section 3(3) (grant of London operator's licences) for "he" there shall be substituted " the authority ".

4 In section 7(2) (grant of London PHV licences) for "he" there shall be substituted " the authority ".

5 In section 8(2) (presentation of vehicle for inspection and testing) for "he" there shall be substituted " the authority ".

6 In section 10(3) (exemption from exhibiting disc or plate) for "he" there shall be substituted " the authority ".

7 (1) Section 13 (London PHV driver's licences) shall be amended as follows.

(2) In subsection (2) (grant of London PHV driver's licence) for "he" there shall be substituted " the authority ".

(3) In subsection (3) (requirements as to knowledge of London and topographical skill) —

(a) for "his" there shall be substituted " the authority's "; and
(b) for "him" there shall be substituted " the authority ".

8 (1) Section 14 (issue of driver's badges) shall be amended as follows.

(2) In subsection (1) (duty to issue badge) for "he" there shall be substituted " the authority ".

(3) In subsection (4) (exemption from wearing badge) for "he" in the second place where it occurs there shall be substituted " the authority ".

9 In section 15(2) (further information to be furnished with application for licence) for "he" there shall be substituted " the authority ".

10 (1) Section 17 (suspension and revocation under section 16: procedure) shall be amended as follows.

(2) In subsection (1)(a) (duty to give notice of decision and grounds for it) for "he" there shall be substituted " the authority ".

(3) In subsection (2) (immediate commencement of suspension or revocation in interests of public safety) for "he" there shall be substituted " the authority ".

11 In section 18(4) (reference to new operating centre not to be added unless satisfied that premises meet prescribed requirements) for "he" there shall be substituted " the authority ".

12 (1) Section 19 (variation of operator's licence) shall be amended as follows.

(2) In subsection (1) (suspension or variation as to operating centre) for "he" there shall be substituted " the authority ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) In subsection (2)(a) (duty to give notice of decision and grounds for it) for "he" there shall be substituted " the authority ".

(4) In subsection (3) (immediate commencement of suspension or revocation in interests of public safety)—

(a) for "his" in both places where it occurs there shall be substituted " the authority's "; and

(b) for "he" there shall be substituted " the authority ".

(5) The sidenote to the section accordingly becomes "Variation of operator's licence by the licensing authority."

13 In section 22(4) (notice directing return of licence) for "him" there shall be substituted " the authority, constable or officer (as the case may be) ".

14 The sidenote to section 24 becomes "Delegation of functions by the licensing authority."

15 In section 30(2) (consultation with cab and private hire trade before making regulations prohibiting certain signs, notices etc) for "him" and "he" there shall be substituted " the authority ".

16 (1) Section 32 (regulations) shall be amended as follows.

(2) In subsection (1) (purpose for which regulations may be made) after "this Act", in both places, there shall be inserted " (other than section 37) ".

(3) In subsection (3) (power to make regulations to be exercisable by statutory instrument subject to negative parliamentary procedure) for "conferred by this Act" there shall be substituted " conferred on the Secretary of State by section 37 ".

(4) At the end of the section there shall be added—

"(4) Any power of the licensing authority to make regulations under this Act includes power to vary or revoke previous regulations made under this Act (other than regulations made under section 37).

(5) Subsection (4) applies notwithstanding that the previous regulations in question were made by the Secretary of State by statutory instrument.

(6) The licensing authority shall secure that any regulations made under this Act by the authority are printed and published.

(7) A fee may be charged for the sale of regulations printed and published under subsection (6)."

17 In section 36 (interpretation) after the definition of "licensed taxi" there shall be inserted—

""the licensing authority" means Transport for London;".

18 In section 37 (power of Secretary of State to make transitional provisions etc) at the end there shall be added—

"(3) Before making regulations under this section the Secretary of State shall consult the licensing authority."

19 Section 38 (financial provisions relating to the Secretary of State) shall cease to have effect.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

SCHEDULE 22

Section 270.

STOPPING UP ORDERS BY LONDON COUNCILS

Highways Act 1980

PROSPECTIVE

1 (1) Section 125 of the [M63]Highways Act 1980 (further powers to stop up private access to premises) shall be amended as follows.

(2) In subsection (1) after "Minister" there shall be inserted " or London Borough ".

(3) In subsection (4) after "Minister" there shall be inserted " or, as the case may be, the council of a London borough ".

Marginal Citations
M63 1980 c. 66.

Town and Country Planning Act 1990

2 The [M64]Town and Country Planning Act 1990 shall be amended as follows.

Marginal Citations
M64 1990 c. 8.

Highways affected by development: orders

3 (1) Section 247 shall be amended as follows.

(2) In subsection (1) (Secretary of State's power to authorise stopping up or diversion of highway) after "highway" there shall be inserted " outside Greater London ".

(3) In subsection (2) (Secretary of State's power to provide or improve other highways) after "highway" there shall be inserted " outside Greater London ".

(4) After subsection (2) there shall be inserted—

"(2A) The council of a London borough may by order authorise the stopping up or diversion of any highway within the borough, or within another London borough if the council of that borough consents, if it is satisfied that it is necessary to do so in order to enable development to be carried out—

(a) in accordance with planning permission granted under Part III, or

(b) by a government department.

(2B) Such an order may make such provision as appears to the council to be necessary or expedient for the provision or improvement of any other highway within the borough."

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(5) In subsection (3) (orders directing that highway to be maintainable at public expense etc) for "Such an order" there shall be substituted " An order under subsection (1) or (2A) ".

(6) After subsection (3) there shall be inserted—

"(3A) An order under subsection (2A) may not provide that—

(a) the Secretary of State,

(b) Transport for London, or

(c) a London borough other than the one whose council is making the order,

shall be the highway authority for a highway unless the Secretary of State, Transport for London or the council, as the case may be, so consents."

(7) In subsection (4) (incidental provision in an order) after "Secretary of State" in both places where it occurs there shall be inserted " or the council of the London borough ".

(8) In subsection (6)(a) (order making power to be without prejudice to other similar powers) after "Secretary of State" there shall be inserted " or a London borough ".

Highways crossing or entering route of proposed new highway

4 (1) Section 248 shall be amended as follows.

(2) In subsection (2) (Secretary of State's power to stop up or divert a highway affected by construction or improvement of another highway) after "applies" there shall be inserted " and the place where the other highway crosses or enters the route of the main highway or is otherwise affected is outside Greater London ".

(3) After subsection (2) there shall be inserted—

"(2A) Where this section applies and the place where the other highway crosses or enters the route of the main highway or is otherwise affected is within a London borough, if it appears to the council of that borough expedient to do so—

(a) in the interests of the safety of users of the main highway; or

(b) to facilitate the movement of traffic on the main highway,

it may by order authorise the stopping up or diversion of the other highway."

(4) In subsection (3) (application of section 247 to orders under section 248)—

(a) after "Subsections (2)" there shall be inserted " and (2B) ",

(b) for "subsection (2)" there shall be substituted " subsections (2) and (2B) ".

Order extinguishing right to use vehicles on highway

5 (1) Section 249 shall be amended as follows.

(2) In subsection (1)(b) (cases where section 249 applies) after "trunk road" there shall be inserted " , a GLA road ".

(3) At the beginning of subsection (2) (Secretary of State's power to extinguish rights to use a highway affected by improvement of amenity of area) there shall be inserted "

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Where the public is to cease to have such a right of way at a place outside Greater London, ".

(4) After subsection (2) there shall be inserted—

"(2A) Where—

(a) the public is to cease to have such a right of way at a place within a London borough, and

(b) the conditions mentioned in subsection (2B)(a) or (b) are satisfied,

the council of that borough may by order provide for the extinguishment of any right which persons may have to use vehicles on that highway.

(2B) The conditions are that—

(a) the council is a local planning authority for the place where the right of way is to cease and it resolves that the right should be extinguished, or

(b) another authority is a local planning authority for that place and, having resolved to do so, it applies to the council of the borough for the right to be extinguished."

(5) In subsection (3) (power to provide for continuance of specified rights on highway where general right of use is extinguished)—

(a) after "subsection (2)" there shall be inserted " or (2A) ", and

(b) after "Secretary of State" there shall be inserted " or, as the case may be, the council of the London borough ".

(6) In subsection (5) (order under section 249 not to be prejudiced by any other enactment) after "subsection (2)" there shall be inserted " or (2A) ".

(7) In subsection (6) (revocation of order under section 249 upon application by local planning authority)—

(a) after "subsection (2)" there shall be inserted " or (2A) ",

(b) after "Secretary of State" there shall be inserted " or, as the case may be, the council of the borough ",

(c) for "he" in the first place where it occurs there shall be substituted " the Secretary of State or council ", and

(d) for "he does so" there shall be substituted " the order is revoked ".

(8) In subsection (8) (requirement for local planning authority to consult before applying for order to be revoked) after "subsection (2)" there shall be inserted " , (2A) ".

(9) In subsection (9) (application of section 247 to order made under section 249) after "subsection (2)" there shall be inserted " , (2B) ".

Compensation for orders under section 249

6 (1) Section 250 shall be amended as follows.

(2) In subsection (1) (right to compensation for those with an interest in land affected by an order under section 249) after "section 249(2)" there shall be inserted " or (2A) ".

Procedure for making of orders

7 (1) Section 252 shall be amended as follows.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) In subsection (1) (requirement to publicise proposals in certain newspapers)—

(a) after "Secretary of State" in the first place where it occurs there shall be inserted " or, as the case may be, the council of a London borough ", and

(b) after "Secretary of State" in the second place where it occurs there shall be inserted " or, as the case may be, the council of the London borough ".

(3) In subsection (2) (requirement to serve details of proposals on certain local and other authorities) after "Secretary of State" there shall be inserted " or, as the case may be, the council of the London borough ".

(4) In subsection (3) (requirement to display details of proposals at highway concerned) after "Secretary of State" there shall be inserted " or, as the case may be, the council of the London borough ".

(5) In subsection (4) (requirement to hold local inquiry if objection made)—

(a) after "Secretary of State" in the first place where it occurs there shall be inserted " or, as the case may be, the council of the London borough, "

(b) for "him" there shall be substituted " to the Secretary of State or, as the case may be, the council ", and

(c) for "unless subsection (5) applies the Secretary of State shall cause a local inquiry to be held" there shall be substituted—

"(a) in a case where the Secretary of State is proposing to make an order, he shall cause a local inquiry to be held unless subsection (5) applies, or

(b) in a case where the council of a London borough is proposing to make an order, it shall notify the Mayor of London of the objections and shall cause a local inquiry to be held unless subsection (5A) applies."

(6) In subsection (5) (power to dispense with local inquiry in certain circumstances) after "where" there shall be inserted " the Secretary of State is proposing to make an order and ".

(7) After subsection (5) there shall be inserted—

"(5A) In a case where—

(a) the council of a London borough is proposing to make the order,

(b) the council has under subsection (4)(b) notified the Mayor of London of the objections, and

(c) none of the objections notified is made by such a local authority or undertakers or transporter as are mentioned in that subsection,

the Mayor of London shall decide whether, in the special circumstances of the case, the holding of such an inquiry is unnecessary, and if he decides that it is unnecessary he shall so notify the council which may dispense with the inquiry."

(8) In subsection (6) (application of other statutory provisions to local inquiry held under section 252) after "Secretary of State" there shall be inserted " or the council of a London borough ".

(9) After subsection (6) there shall be inserted—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

"(6A) In their application to an inquiry caused to be held by the council of a London borough—

(a) subsection (4) of section 250 of the Local Government Act 1972 shall be treated as if—

(i) for the reference to a Minister there were substituted a reference to the council of a London borough,

(ii) for the reference to him there were substituted a reference to the council,

(iii) for the reference to he there were substituted a reference to the council acting with the consent of the Mayor of London, and

(iv) for the references to the Minister there were substituted references to the council of the London borough, and

(b) subsection (5) of that section shall be treated as if—

(i) for the reference to the Minister there were substituted a reference to the council of a London borough, and

(ii) the power to make an order as to the costs of parties were subject to a requirement to act with the consent of the Mayor of London."

(10) In subsection (8) (making of order) before "After" there shall be inserted " Where the Secretary of State is proposing to make an order, ".

(11) After subsection (8) there shall be inserted—

"(8A) Where the council of a London borough is proposing to make an order, after—

(a) considering any objections to the order which are not withdrawn, and

(b) where a local inquiry is held—

(i) considering the report of the person who held the inquiry, and

(ii) obtaining the consent of the Mayor of London to the making of the order,

the council may, subject to subsection (9), make the order either without modification or subject to such modification as it thinks fit."

(12) In subsection (10) (requirement to publicise making of order) after "Secretary of State" there shall be inserted " or, as the case may be, the council of the London borough ".

(13) After subsection (10) there shall be inserted—

"(10A) Nothing in subsection (2) shall require the council of a London borough to serve anything on itself."

Procedure in anticipation of planning permission

8 (1) Section 253 shall be amended as follows.

(2) In subsection (1) (power to publish certain orders in draft before planning permissions making the orders necessary are granted)—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) after "Secretary of State" in the first place where it occurs there shall be inserted " or the council of a London borough ", and

(b) after "Secretary of State" in the second place where it occurs there shall be inserted " or, as the case may be, the council of the London borough ".

(3) In subsection (5) (saving of restriction on power to make order until planning permission granted) after "Secretary of State" there shall be inserted " or the council of a London borough ".

Temporary highway orders: mineral workings

9 (1) Section 261 shall be amended as follows.

(2) In subsection (1) (Secretary of State's power to order stopping up or diversion of highway for working of minerals)—

(a) after "Secretary of State" there shall be inserted " or the council of a London borough ", and

(b) after "him" there shall be inserted " or, as the case may be, the council ".

(3) In subsection (3) (additional provision in order under section 261)—

(a) for "or, as the case may be," there shall be substituted " , the council of the London borough or ", and

(b) after "authority" there shall be inserted " (as the case may be) ".

SCHEDULE 23

Section 295.

ROAD USER CHARGING

Interpretation

1 (1) In this Schedule—

"borough scheme" means any charging scheme other than a TfL scheme;

"charging area" means an area to which a charging scheme applies;

"charging authority" means an authority which is the maker of a charging scheme;

"charging scheme" means a scheme for imposing charges in respect of the keeping or use of motor vehicles on roads in an area designated in the scheme;

"GLA road" includes a reference to a GLA side road;

"highway authority" has the same meaning as in the [M65]Highways Act 1980 (see in particular sections 1 to 9 of that Act);

"immobilisation device" has the same meaning as in section 104(9) of the [M66]Road Traffic Regulation Act 1984;

"motor vehicle" shall be construed in accordance with subsection (3) of section 295 of this Act;

"net proceeds", in relation to a charging scheme **[**[F150]and a financial year, means the amount (if any) by which—

(a) the amounts received under or in connection with the scheme which are attributable to the financial year, exceed

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) the expenses incurred for or in connection with the scheme which are so attributable;**]**

"penalty charge" has the same meaning as in paragraph 12 below;

"penalty charge notice" means notice of a penalty charge;

"prescribed" means specified in, or determined in accordance with, regulations;

[[F151]"registered keeper", in relation to a charge imposed in respect of a motor vehicle, means the person in whose name the vehicle was registered under the [M67]Vehicle Excise and Registration Act 1994 at the time of the act, omission, event or circumstances in respect of which the charge is imposed;**]**

"regulations" means **[**[F152](except where otherwise provided)**]**regulations made by the Secretary of State;

"relevant transport purpose" means any purpose which directly or indirectly facilitates the implementation of any policies or proposals set out in the Mayor's transport strategy;

"redistributed portion", in relation to the net proceeds of a charging scheme, shall be construed in accordance with paragraph 21(1) below;

"road" has the same meaning as in the [M68]Road Traffic Regulation Act 1984 (see section 142(1) of that Act);

"share of the net proceeds", in relation to a charging authority and a charging scheme, shall be construed in accordance with paragraph 18(2) below;

"TfL scheme" means a charging scheme made by Transport for London;

"traffic authority" has the same meaning as in the [M69]Road Traffic Regulation Act 1984 (see sections 121A and 142(1) of that Act);

"traffic sign" has the **[**[F153]meaning given by section 64 of the Road Traffic Regulation Act 1984 but also includes signposts and other signs and notices included in that term by section 71(2) of that Act**]**;

"trunk road" has the same meaning as in the [M70]Road Traffic Regulation Act 1984 (see section 142(1) of that Act).

[[F154](2) For the purposes of this Schedule—

(a) the amounts received under or in connection with a charging scheme, and

(b) the expenses incurred for or in connection with such a scheme,

and the extent to which they are attributable to any financial year, shall be determined in accordance with regulations under this sub-paragraph.**]**

(3) Any reference in this Schedule to a class of motor vehicles is a reference to a class defined or described by reference to any characteristics of the motor vehicles or to any other circumstances whatsoever.

(4) For the purposes of this Schedule—

(a) the City of London shall be treated as if it were a London borough;

(b) the Common Council shall be treated as if it were the council for a London borough; and

(c) the Inner Temple and the Middle Temple shall be treated as forming part of the City.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F150 Sch. 23 para. 1(1): words and para. 1(1)(a)(b) in definition of
"net proceeds"
substituted for words (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 2(1)(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F151 Sch. 23 para. 1(1): definition of
"registered keeper"
inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 2(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F152 Sch. 23 para. 1(1): words in definition of
"regulations"
inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 2(1)(4)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F153 Sch. 23 para. 1(1): words in definition of
"traffic sign"
substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 2(1)(5)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F154 Sch. 23 para. 1(2) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 2(1)(6)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I35 Sch. 23 para. 1 wholly in force at 3.7.2000; Sch. 23 para. 1 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 1 in force at 8.5.2000 for further certain purposes and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(1)(2)(b)(c), Sch. Pts. 2, **3**

Marginal Citations

M65 1980 c.66.
M66 1984 c. 27.
M67 1994 c. 22.
M68 1984 c. 27.
M69 1984 c. 27.
M70 1984 c. 27.

Authority functions exercisable by the Mayor

2 Any functions conferred or imposed on the Authority by or under this Schedule are exercisable by the Mayor acting on behalf of the Authority.

Commencement Information

I36 Sch. 23 para. 2 wholly in force at 3.7.2000; Sch. 23 para. 2 not in force at Royal Assent see s. 425(2); Sch. 23 para. 2 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Conditions for making a charging scheme

3 A charging scheme may only be made if it appears desirable or expedient for the purpose of directly or indirectly facilitating the achievement of any policies or proposals set out in the Mayor's transport strategy.

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I37 Sch. 23 para. 3 wholly in force at 3.7.2000; Sch. 23 para. 3 not in force at Royal Assent see s. 425(2); Sch. 23 para. 3 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Making a charging scheme

4 (1) Any charging scheme must be contained in an order—

(a) made under this Schedule by the authority making the scheme; and

(b) submitted to, and confirmed (with or without modification) by, the Authority.

(2) An order containing a charging scheme shall be in such form as the Authority may determine.

(3) The Authority may—

(a) consult, or require an authority making a charging scheme to consult, other persons;

[[F155](aa) require such an authority to publish its proposals for the scheme and to consider objections to the proposals;**]**

(b) hold an inquiry, or cause an inquiry to be held, for the purposes of any order containing a charging scheme;

(c) appoint the person or persons by whom any such inquiry is to be held;

(d) make modifications to any such order, whether in consequence of any objections or otherwise, before the order takes effect;

[[F156](da) require the authority by whom any such order is made to publish notice of the order and of its effect;**]**

[[F157](e) require any such order to include such exemptions for such purposes as the Authority may determine;**]**

(f) require the authority by whom any such order is made to place and maintain, or cause to be placed and maintained, such traffic signs in connection with that order as the Authority may determine.

[[F158](4) Subsections (2) and (3) of section 250 of the [M71]Local Government Act 1972 (witnesses at local inquiries) apply in relation to any inquiry held by virtue of sub-paragraph (3)(b) above.

(5) Where an inquiry is held by virtue of sub-paragraph (3)(b) above for the purposes of any order containing a charging scheme—

(a) the costs of the inquiry shall be paid by the charging authority; and

(b) the parties at the inquiry shall bear their own costs.

(6) The charging authority may enter any land, and exercise any other powers which may be necessary, for placing and maintaining, or causing to be placed and maintained, traffic signs in connection with the charging scheme.**]**

Textual Amendments

F155 Sch. 23 para. 4(3)(aa) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 3(1)(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

F156 Sch. 23 para. 4(3)(da) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 3(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F157 Sch. 23 para. 4(3)(e) repealed (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 274, 275(1), Sch. 13 para. 3(1)(4), **Sch. 31 Pt. III** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F158 Sch. 23 para. 4(4)-(6) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 3(1)(5)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I38 Sch. 23 para. 4 wholly in force at 3.7.2000; Sch. 23 para. 4 not in force at Royal Assent see s. 425(2); Sch. 23 para. 4 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Marginal Citations

M71 1972 c. 70.

Scheme to conform with Mayor's transport strategy

PROSPECTIVE

5 A charging scheme must be in conformity with the Mayor's transport strategy.

Commencement Information

I39 Sch. 23 para. 5 wholly in force at 3.7.2000; Sch. 23 para. 5 not in force at Royal Assent see s. 425(2); Sch. 23 para. 5 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Approval of Authority required for inclusion of certain provisions

6 The approval of the Authority must be obtained before there is included in a borough scheme any provision of a description specified in a direction under this paragraph given by the Authority to the London borough councils.

Commencement Information

I40 Sch. 23 para. 6 wholly in force at 3.7.2000; Sch. 23 para. 6 not in force at Royal Assent see s. 425(2); Sch. 23 para. 6 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Joint charging schemes

7 (1) The Authority may authorise or require two or more London borough councils acting jointly to make a charging scheme applying to the whole or part of their combined areas (a "joint charging scheme").

(2) In the application of this Schedule in relation to a joint charging scheme, any reference to the charging authority is a reference to all or any of the London borough councils concerned.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I41 Sch. 23 para. 7 wholly in force at 3.7.2000; Sch. 23 para. 7 not in force at Royal Assent see s. 425(2); Sch. 23 para. 7 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

The contents of a charging scheme

8 A charging scheme must—

(a) designate the area to which it applies;

(b) specify the classes of motor vehicles in respect of which a charge is imposed;

(c) designate those roads in the charging area in respect of which charges are imposed; and

(d) specify the charges imposed.

Commencement Information

I42 Sch. 23 para. 8 wholly in force at 3.7.2000; Sch. 23 para. 8 not in force at Royal Assent see s. 425(2); Sch. 23 para. 8 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

The charging area and the roads

9 (1) The designation of—

(a) the boundaries of the charging area, and

(b) the roads in that area in respect of which charges are imposed,

shall be such as the authority making the charging scheme may determine, subject to any modifications made by the Authority.

(2) A TfL scheme may apply to an area which consists of the whole or any part of Greater London.

(3) A borough scheme may apply to an area which consists of the whole or any part of the area of the authority (or, in the case of a joint charging scheme, the combined areas of the authorities) making the scheme.

(4) A road shall not be subject to charges imposed by more than one charging authority at the same time**[**[F159], except with the consent of the Authority.**]**

(5) In the application of sub-paragraph (4) above in relation to a joint charging scheme, the authorities making the scheme shall be treated as if they together constituted a single charging authority.

(6) A TfL scheme may impose charges in respect of roads in the charging area, whether or not Transport for London is the traffic authority or the highway authority for those roads.

(7) A charging scheme must not impose charges in respect of a trunk road except with the consent of the Secretary of State.

(8) A borough scheme may impose charges in respect of GLA roads.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F159 Words in Sch. 23 para. 9(4) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 113(6)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Commencement Information

I43 Sch. 23 para. 9 wholly in force at 3.7.2000; Sch. 23 para. 9 not in force at Royal Assent see s. 425(2); Sch. 23 para. 9 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

The charges

10 (1) A charging scheme shall specify or describe the events by reference to the happening of which a charge is imposed by the charging scheme in respect of a motor vehicle being kept or used on a road in a charging area.

(2) Any charge imposed by a charging scheme in respect of the keeping of a motor vehicle on a road in a charging area must also have effect in respect of the use of the motor vehicle in that charging area.

(3) A charging scheme may make provision in relation to the manner in which charges are to be made, collected, recorded or paid.

(4) The charges that may be imposed by a charging scheme include different charges (which may be no charge) for **[**[F160]different cases, including (in particular)**]**—

(a) different days;

(b) different times of day;

(c) different parts of a charging area;

(d) different distances travelled;

(e) different classes of motor vehicles.

[[F161](f) different methods or means of recording, administering, collecting or paying the charge.**]**

(5) In setting the rates of charge, regard may be had to the purposes for which the charging authority is to apply the net proceeds of the scheme.

Textual Amendments

F160 Words in Sch. 23 para. 10(4) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 112(2)(a)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F161 Sch. 23 para. 10(4)(f) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 112(2)(b)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Commencement Information

I44 Sch. 23 para. 10 wholly in force at 3.7.2000; Sch. 23 para. 10 not in force at Royal Assent see s. 425(2); Sch. 23 para. 10 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

[F162 Manner of payment of charges

Textual Amendments

F162 Sch. 23 para. 10A and crossheading inserted (E.W.) (26.11.2008 for specified purposes, 9.2.2009 in so far as not already in force) by Local Transport Act 2008 (c. 26), **ss. 113(7)**, 134(1)(c)(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

10A (1) Regulations may—

(a) make provision requiring a charging scheme to provide that in specified circumstances—

(i) persons of a specified description may pay, and

(ii) where those persons so choose, the charging authorities must collect,

the charges imposed by the scheme in a specified manner;

(b) make provision for or in connection with the arrangements to be made by the charging authority with any person for the purpose of enabling charges to be paid, and collected, as mentioned in paragraph (a).

(2) In sub-paragraph (1) "specified" means specified in the regulations.**]**

Exemptions, reduced rates etc

11 (1) The Secretary of State may by regulations make provision for or in connection with—

(a) exemptions from charge,

(b) the application of reduced rates of charge, or

(c) the imposition of limits on the charges payable,

in the case of any prescribed class of motor vehicles or any prescribed description of disabled or other persons.

(2) Subject to any regulations under sub-paragraph (1) above **[**F163and to paragraphs 4 and 6 above**]**, a charging scheme may make provision for or in connection with—

(a) exemptions from charge,

(b) the application of reduced rates of charge, or

(c) the imposition of limits on the charges payable,

in the case of any particular class of motor vehicles or description of persons.

Textual Amendments

F163 Words in Sch. 23 para. 11(2) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 4** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I45 Sch. 23 para. 11 wholly in force at 3.7.2000; Sch. 23 para. 11 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 11 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

[F164 Documents and equipment]

Textual Amendments

F164 Cross-heading preceding s. 11A inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 5** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

[F165 11A A charging scheme may require—

(a) documents to be displayed while a motor vehicle is on a road in respect of which charges are imposed; or

(b) equipment to be carried in or fitted to a motor vehicle while it is on such a road.]

Textual Amendments

F165 Sch. 23 para. 11A inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 5** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Penalty charges

12 (1) Regulations may make provision for or in connection with the imposition [F166 and payment] of penalty charges in respect of acts, omissions, events or circumstances relating to or connected with a charging scheme.

(2) Regulations under sub-paragraph (1) above may make provision for or in connection with setting the rates of penalty charges (which may include provision for discounts or surcharges).

[F167 (3) The Lord Chancellor may make regulations about the notification, adjudication and enforcement of penalty charges.]

Textual Amendments

F166 Words in Sch. 23 para. 12(1) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 6(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F167 Sch. 23 para. 12(3) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 6(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I46 Sch. 23 para. 12 wholly in force at 3.7.2000; Sch. 23 para. 12 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 12 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Liability for charges

F168 [13 Charges imposed in respect of any motor vehicle by a charging scheme (including penalty charges imposed in respect of any motor vehicle) shall be paid—

(a) by the registered keeper of the motor vehicle; or

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) in prescribed circumstances, by such person as is prescribed.**]**

Textual Amendments

F168 Sch. 23 para. 13 substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 7** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I47 Sch. 23 para. 13 wholly in force at 3.7.2000; Sch. 23 para. 13 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 13 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Installation of equipment on roads or elsewhere

14 A charging authority may-

[[F169](a) install and maintain, or authorise the installation and maintenance of, any equipment; or

(b) construct and maintain, or authorise the construction and maintenance of, buildings or other structures,

used or**]** to be used in connection with the operation or enforcement of charging scheme.

Textual Amendments

F169 Words in Sch. 23 para. 14 and para. 14(a)(b) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) for words by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 8** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Modifications etc. (not altering text)

C16 Sch. 23 para. 14 modified (31.5.2018) by The Silvertown Tunnel Order 2018 (S.I. 2018/574), arts. 1(2), **56(2)(a)**

Commencement Information

I48 Sch. 23 para. 14 wholly in force at 3.7.2000; Sch. 23 para. 14 not in force at Royal Assent see s. 425(2); Sch. 23 para. 14 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Accounts and funds

15 (1) A charging authority shall keep an account **[**[F170]relating to**]** each of the authority's charging schemes.

(2) Each of the following bodies, namely—

(a) the Authority,

(b) Transport for London, and

(c) a London borough council,

shall keep an account **[**[F170]relating to**]** the sums received by the body which represent net proceeds of charging schemes for which the body is not the charging authority.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) **[**[F171]Each**]** of the bodies required to keep an account under sub-paragraph (1) or (2) above shall prepare a statement of that account for **[**[F171]each financial year**]**.

(4) A statement of account required to be prepared under sub-paragraph (3) above for any financial year shall be published—

(a) in the case of a statement of account prepared by Transport for London, in the annual report of Transport for London under section 161 of this Act for that year;

(b) in any other case, in the annual accounts for that year of the body which prepared the statement of account.

[[F172](4A) Regulations may make further provision relating to—

(a) accounts required to be kept under sub-paragraph (1) or (2) above (including provision requiring or allowing the keeping of consolidated accounts relating to more than one charging scheme); and

(b) the preparation and publication of statements of such accounts.**]**

(5) At the end of each financial year—

(a) any deficit in an account required to be kept under sub-paragraph (1) or (2) above shall be made good out of the body's general fund; and

(b) any surplus in any such account **[**[F173](after the application of any of the net proceeds in accordance with the following provisions)**]**shall be dealt with in accordance with sub-paragraphs (6) and (7) below.

(6) Any such surplus shall be applied towards making good to the general fund any amount charged to that fund under sub-paragraph (5)(a) above in respect of the account in question in the ten years immediately preceding the financial year in question.

(7) So much of any surplus as remains after the application of sub-paragraph (6) above shall be carried forward in the account in question to the next financial year.

(8) In the application of this paragraph in relation to Transport for London, any reference to its general fund shall be taken as a reference to its gross income.

Textual Amendments

F170 Words in Sch. 23 para. 15(1)(2) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 9(1)(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F171 Words in Sch. 23 para. 15(3) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 9(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F172 Sch. 23 para. 15(4A) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 9(1)(4)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F173 Words in Sch. 23 para. 15(5)(b) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 9(1)(5)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I49 Sch. 23 para. 15 wholly in force at 3.7.2000; Sch. 23 para. 15 not in force at Royal Assent see s. 425(2); Sch. 23 para. 15 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Application of the net proceeds

16 (1) In the case of any charging scheme [F174]..., the net proceeds of the scheme shall,[F175]..., be available only for application for relevant transport purposes by any one or more of the following bodies, namely—

(a) the Authority;

(b) Transport for London; or

(c) a London borough council.

[[F176](1A) Sub-paragraph (1) above is subject to paragraph 18(1A) and (1B) below.**]**

[F177](2) . . . . . .

[F177](3) . . . . . .

[F177](4) . . . . . .

(5) The net proceeds of charging schemes may only be applied for purposes which provide value for money.

(6) Sub-paragraphs **[**[F178](1) and (5)**]** above are without prejudice to paragraph 15(6) above.

[F179](7) . . . . . .

Textual Amendments

F174 Words in Sch. 23 para. 16(1) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), Sch. 6 para. 10(2)(a), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F175 Words in Sch. 23 para. 16(1) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), Sch. 6 para. 10(2)(b), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F176 Sch. 23 para. 16(1A) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 6 para. 10(3)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F177 Sch. 23 para. 16(2)-(4) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), Sch. 6 para. 10(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F178 Words in Sch. 23 para. 16(6) substituted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 6 para. 10(5)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F179 Sch. 23 para. 16(7) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), Sch. 6 para. 10(6), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

C17 Sch. 23 para. 16: power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I50 Sch. 23 para. 16 wholly in force at 3.7.2000; Sch. 23 para. 16 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 16 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Provisions supplementary to paragraph 16

17 [F180](1) . . . . . .

[F180](2) . . . . . .

(3) The Secretary of State may issue guidance to the Authority, Transport for London and the London borough councils with respect to the appraisal of whether any application of net proceeds of a charging scheme for any purpose provides value for money.

(4) In determining how to apply the net proceeds of charging schemes, the Authority, Transport for London and any London borough council shall comply with any guidance issued by the Secretary of State under sub-paragraph (3) above.

(5) The Secretary of State may at any time vary the guidance under sub-paragraph (3) above.

[F180](6) . . . . . .

Textual Amendments

F180 Sch. 23 para. 17(1)(2)(6) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), Sch. 6 para. 11, **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

C18 Sch. 23 para. 17: power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I51 Sch. 23 para. 17 wholly in force at 3.7.2000; Sch. 23 para. 17 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 17 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Apportionment of net proceeds of charging schemes

18 (1) [F181]... The Authority may require a charging scheme to include provision for such portion of the net proceeds as the Authority may determine to be paid to—

(a) the Authority,

(b) Transport for London, or

(c) such London borough councils as may be specified or described by the Authority,

for application for relevant transport purposes.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

[[F182](1A) In the case of a charging scheme which imposes charges in respect of a trunk road, the Secretary of State may require the scheme to include provision for the payment to the Secretary of State of such portion of the net proceeds as is—

(a) provided for by the scheme, or

(b) otherwise determined with the consent of the Secretary of State.

(1B) Any portion of the net proceeds paid to the Secretary of State by virtue of sub-paragraph (1A) shall be available only for application for the purpose of directly or indirectly facilitating the achievement of any policies or proposals relating to transport.**]**

(2) In this Schedule, any reference to a charging authority's share of the net proceeds of a charging scheme is a reference to so much of the net proceeds of the scheme as remains after the making of any payments to other bodies or persons required by virtue of sub-paragraph (1) **[**[F183]or (1A)**]** above[F184]....

(3) For the purposes of this Schedule, the payment by the Authority of a sum received by the Authority by virtue of sub-paragraph (1) above to any body corporate for the purpose of the application of that sum by that body for relevant transport purposes shall be taken to be the application of that sum by the Authority for relevant transport purposes.

Textual Amendments

F181 Words in Sch. 23 para. 18(1) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), Sch. 6 para. 12(2), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F182 Sch. 23 para. 18(1A)(1B) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 6 para. 12(3)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F183 Words in Sch. 23 para. 18(2) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 6 para. 12(4)(a)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F184 Words in Sch. 23 para. 18(2) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), Sch. 6 para. 12(4)(b), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

C19 Sch. 23 para. 18: power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I52 Sch. 23 para. 18 wholly in force at 3.7.2000; Sch. 23 para. 18 not in force at Royal Assent see s. 425(2); Sch. 23 para. 18 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Charging authority's 10 year plan for their share

19 (1) A charging scheme must include a statement of the charging authority's proposed general plan for applying the authority's share of the net proceeds of the scheme during the opening ten year period.

(2) In sub-paragraph (1) above, "the opening ten year period", in relation to any charging scheme, means the period which—

(a) begins with the date on which the scheme comes into force; and

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) ends with the tenth financial year that commences on or after that date.

(3) An order containing a charging scheme shall not come into force unless and until the statement required by sub-paragraph (1) above has been approved—

[F185](a) . . . . . .

(b) if the scheme is a borough scheme, by the Authority.

[F186](4) . . . . . .

Textual Amendments

F185 Sch. 23 para. 19(3)(a) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(2), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F186 Sch. 23 para. 19(4) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(2), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

C20 Sch. 23 para. 19: power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I53 Sch. 23 para. 19 wholly in force at 3.7.2000; Sch. 23 para. 19 not in force at Royal Assent see s. 425(2); Sch. 23 para. 19 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Charging authority's 4 year programmes for their share

20 (1) As long as a charging scheme remains in force, the charging authority shall, during every fourth financial year after the financial year in which the scheme comes into force, prepare a written statement of their proposed general programme for applying the authority's share of the net proceeds of the scheme during the next four financial years.

(2) Any statement required to be prepared under sub-paragraph (1) above must be submitted for approval to—

[F187](a) . . . . . .

(b) in the case of a borough scheme, the Authority.

[F188](3) . . . . . .

[F189](4) . . . . . .

(5) Any statement prepared and **[**[F190](where so required)**]** approved under this paragraph in the case of a charging scheme prevails for all purposes over any conflicting provisions in the statement included in the scheme pursuant to paragraph 19 above.

Textual Amendments

F187 Sch. 23 para. 20(2)(a) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(3)(a), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F188 Sch. 23 para. 20(3) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(3)(a), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F189 Sch. 23 para. 20(4) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(3)(a), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F190 Words in Sch. 23 para. 20(5) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 120(3)(b)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

C21 Sch. 23 para. 20: power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise *prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I54 Sch. 23 para. 20 wholly in force at 3.7.2000; Sch. 23 para. 20 not in force at Royal Assent see s. 425(2); Sch. 23 para. 20 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Authority's 10 year plan for the redistributed portion

21 (1) This paragraph applies in relation to a charging scheme which by virtue of paragraph 18(1) above includes provision for a portion of the net proceeds of the scheme (the "redistributed portion") to be paid by the charging authority to another body.

(2) The Authority shall prepare [F191]... a statement of the Authority's general plan for the application (whether by the Authority or any other body) of the redistributed portion during the opening ten year period.

(3) In sub-paragraph (2) above, "the opening ten year period", in relation to any charging scheme, means the period which—

(a) begins with the date on which the scheme comes into force; and

(b) ends with the tenth financial year that commences on or after that date.

[F192](4) . . . . . .

Textual Amendments

F191 Words in Sch. 23 para. 21(2) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(4)(a), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F192 Sch. 23 para. 21(4) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(4)(b), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

C22 Sch. 23 para. 21: power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise *prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I55 Sch. 23 para. 21 wholly in force at 3.7.2000; Sch. 23 para. 21 not in force at Royal Assent see s. 425(2); Sch. 23 para. 21 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Authority's 4 year programmes for the redistributed portion

22 (1) As long as a charging scheme to which paragraph 21 above applies remains in force, the Authority shall, during every fourth financial year after the financial year in which the scheme comes into force, prepare the statement described in sub-paragraph (2) below.

(2) That statement is a written statement of the Authority's proposed general programme for the application (whether by the Authority or any other body) of the redistributed portion of the net proceeds of the scheme during the next four financial years.

[F193](3) . . . . . .

(4) A statement prepared [F194]... under this paragraph for any scheme prevails for all purposes over any conflicting provisions in the statement prepared [F194]...under paragraph 21 above for that scheme.

Textual Amendments

F193 Sch. 23 para. 22(3) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(5)(a), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F194 Words in Sch. 23 para. 22(4) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(5)(b), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

C23 Sch. 23 para. 22: power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I56 Sch. 23 para. 22 wholly in force at 3.7.2000; Sch. 23 para. 22 not in force at Royal Assent see s. 425(2); Sch. 23 para. 22 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Non-compliance with paragraph 20 or 22 above

23 (1) Except with the consent of the Secretary of State in any particular case, none of the charging authority's share of the net proceeds of a charging scheme may be applied in any financial year beginning after the end of the opening four year period unless and until a statement under paragraph 20 above having effect in relation to a period in which that year falls has been prepared and **[**[F195](where so required)**]** approved under that paragraph.

(2) Except with the consent of the Secretary of State in any particular case, none of the redistributed portion of the net proceeds of a charging scheme may be applied in any financial year beginning after the end of the opening four year period unless and until a statement under paragraph 22 above having effect in relation to a period in which that year falls has been prepared [F196]... under that paragraph in relation to the scheme.

(3) In this paragraph, "the opening four year period", in relation to any charging scheme, means the period which—

(a) begins with the date on which the scheme comes into force; and

(b) ends with the fourth financial year that commences on or after that date.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F195 Words in Sch. 23 para. 23(1) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 120(6)(a)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F196 Words in Sch. 23 para. 23(2) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(6)(b), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

C24 Sch. 23 para. 23: power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I57 Sch. 23 para. 23 wholly in force at 3.7.2000; Sch. 23 para. 23 not in force at Royal Assent see s. 425(2); Sch. 23 para. 23 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

4 year programmes: amendment, replacement and voluntary statements

24 (1) Where a statement has been prepared and **[**[F197](where so required)**]** approved under paragraph 20 or 22 above, the authority which prepared the statement may—

(a) amend the statement, or

(b) replace it with another statement (a "replacement statement"),

but subject to the following provisions of this paragraph.

(2) Subject to the following provisions of this paragraph, where a charging scheme is in force—

(a) the charging authority may prepare a statement such as is described in paragraph 20(1) above, and

(b) if the charging scheme is one to which paragraph 21 above applies, the Authority may prepare a statement such as is described in paragraph 22(2) above,

at any time before the beginning of the first financial year for which a statement under paragraph 20 or, as the case may be, paragraph 22 above is required to be prepared in respect of the scheme.

(3) For the purposes of this paragraph—

(a) a "voluntary statement" is a statement prepared under sub-paragraph (2)(a) or (b) above,

(b) a statement prepared under sub-paragraph (2)(a) above shall be treated as a statement prepared under paragraph 20 above and, if approved in accordance with the provisions of this paragraph, as approved under that paragraph, and

(c) a statement prepared under sub-paragraph (2)(b) above shall be treated as a statement prepared under paragraph 22 above [F198]...,

and references to statements under paragraph 20 or 22 above shall be construed accordingly.

(4) The power conferred by sub-paragraph (1)(b) or (2) above is exercisable—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) in the case of a statement under paragraph 20 above in respect of a borough scheme, during the period of six months beginning with the day on which a change of control of the London borough council concerned occurs; or

(b) in any other case, during the period of six months beginning with the term of office of any person returned as the Mayor at an ordinary election or at an election under section 16 of this Act.

(5) Where, in exercise of the powers conferred by this paragraph, an authority proposes—

(a) to amend or replace a statement prepared and **[**[F199](where so required)**]** approved under paragraph 20 or 22 above, or

(b) to prepare a voluntary statement,

sub-paragraph (6) below applies.

(6) Where this sub-paragraph applies, the amendment, replacement statement or voluntary statement must be submitted for approval—

[F200](a) . . . . . .

(b) if the statement concerned or affected is one prepared in respect of a borough scheme by the charging authority, to the Authority.

[F201](7) . . . . . .

(8) Where a statement prepared and **[**[F202](where so required)**]** approved under paragraph 20 or 22 above is amended in accordance with this paragraph, the statement shall continue to be regarded for the purposes of this Schedule as a statement so prepared and **[**[F202](where so required)**]** approved, notwithstanding the amendment.

(9) A replacement statement or a voluntary statement must relate to the four financial years beginning with the financial year in which it takes effect (disregarding so much of that year as has expired before the statement takes effect).

(10) A replacement statement or voluntary statement prepared and **[**[F203](where so required)**]** approved under this paragraph shall be taken for the purposes of this Schedule to be a statement [F204]...—

(a) **[**[F205]prepared and approved**]** under paragraph 20 above, if it was prepared in respect of a charging scheme by the charging authority; or

(b) **[**[F206]prepared**]** under paragraph 22 above, if it was prepared by the Authority.

(11) Where a voluntary statement or replacement statement prepared by an authority takes effect, the time at which any subsequent statement is required to be prepared by that authority by virtue of paragraph 20 or 22 above in respect of the charging scheme in question shall be determined as if the financial year preceding that in which the replacement statement or voluntary statement takes effect had been such a fourth year as is mentioned in sub-paragraph (1) of that paragraph.

Textual Amendments

F197 Words in Sch. 23 para. 24(1) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 120(7)(a)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F198 Words in Sch. 23 para. 24(3)(c) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(7)(b), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

F199 Words in Sch. 23 para. 24(5)(a) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 120(7)(c)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F200 Sch. 23 para. 24(6)(a) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(7)(d), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F201 Sch. 23 para. 24(7) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(7)(d), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F202 Words in Sch. 23 para. 24(8) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 120(7)(e)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F203 Words in Sch. 23 para. 24(10) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 120(7)(f)(i)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F204 Words in Sch. 23 para. 24(10) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 120(7)(f)(ii), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F205 Words in Sch. 23 para. 24(10)(a) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 120(7)(f)(iii)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F206 Word in Sch. 23 para. 24(10)(b) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 120(7)(f)(iv)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

C25 Sch. 23 para. 24: power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I58 Sch. 23 para. 24 wholly in force at 3.7.2000; Sch. 23 para. 24 not in force at Royal Assent see s. 425(2); Sch. 23 para. 24 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Offences

25 (1) A person who, with intent to avoid payment of a charge imposed by a charging scheme or with intent to avoid being identified as having failed to pay such a charge, —

(a) interferes with any equipment**[**[F207], or with the functioning of any equipment,**]** used for or in connection with charging under a charging scheme, **[**[F208]or**]**

(b) causes or permits the registration plate of a motor vehicle to be obscured, **[**[F209]or

[F209](c) makes or uses any false document,**]**

is guilty of an offence.

[[F210](1A) A person who makes or uses any false document with intent to avoid payment of, or being identified as having failed to pay, a charge imposed by a charging scheme or a penalty charge is guilty of an offence.**]**

(2) A person guilty of an offence under sub-paragraph (1) **[**[F211]or (1A)**]** above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding six months or to both.

[[F212](3) A person is guilty of an offence if he removes a penalty charge notice which has been fixed to a motor vehicle in accordance with regulations under paragraph 12 above unless—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) he is the registered keeper of the vehicle or a person using the vehicle with his authority; or

(b) he does so under the authority of the registered keeper or such a person or of the charging authority.

[F212](4) A person guilty of an offence under sub-paragraph (3) above shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.**]**

Textual Amendments

F207 Words in Sch. 23 para. 25(1)(a) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 115(4)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F208 Word in Sch. 23 para. 25(1)(a) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 10(1)(2)(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F209 Sch. 23 para. 25(1)(c) and word "or" immediately preceding it repealed (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 274, 275(1), Sch. 13 para. 10(1)(2)(b), **Sch. 31 Pt. III** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F210 Sch. 23 para. 25(1A) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 10(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F211 Words in Sch. 23 para. 25(2) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 10(1)(4)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F212 Sch. 23 para. 25(3)(4) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 10(1)(5)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Modifications etc. (not altering text)

C26 Sch. 23 para. 25 modified (31.5.2018) by The Silvertown Tunnel Order 2018 (S.I. 2018/574), arts. 1(2), **56(2)(b)**

Commencement Information

I59 Sch. 23 para. 25 wholly in force at 3.7.2000; Sch. 23 para. 25 not in force at Royal Assent see s. 425(2); Sch. 23 para. 25 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Examination of motor vehicles etc

26 (1) Regulations may make provision conferring powers on prescribed persons for or in connection with—

(a) examining a motor vehicle for the purpose of ascertaining whether any document required by a charging scheme to be displayed while a motor vehicle is on a road in a charging area is so displayed; or

(b) examining a motor vehicle for the purpose of ascertaining whether any equipment required by a charging scheme to be carried in or fitted to a motor vehicle while the vehicle is on a road in a charging area—

(i) is so carried or fitted,

(ii) is in proper working order, or

(iii) has been interfered with **[**[F213]with intent to avoid payment of, or **[**[F214]to avoid any person**]** being identified as having failed to pay, a charge**]**,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

or whether any conditions relating to the use of any such equipment are satisfied.

[F215(2) Regulations may make provision conferring power on any person authorised in writing by the charging authority to enter a motor vehicle where he has reasonable grounds for suspecting, in relation to a motor vehicle which is on a road, that—

(a) any equipment required to be carried in or fitted to the motor vehicle while it is on a road in respect of which charges are imposed has been interfered with with intent to avoid payment of, or [F216to avoid any person] being identified as having failed to pay, a charge imposed by the charging scheme; or

(b) there is in the motor vehicle a false document which has been made or used with intent to avoid payment of, or [F217to avoid any person] being identified as having failed to pay, such a charge.]

[F218(2A) The references in sub-paragraphs (1)(b)(iii) and (2)(a) to interfering with equipment include references to interfering with the functioning of it.]

[F219(3) A person who intentionally obstructs a person exercising any power conferred on him by virtue of sub-paragraph (2) above is guilty of an offence.

F219(4) A person guilty of an offence under sub-paragraph (3) above shall be liable on summary conviction to—

(a) a fine not exceeding level 5 on the standard scale, or

(b) imprisonment for a term not exceeding six months,

or to both.

F219(5) Regulations may make provision conferring power on any person authorised in writing by the charging authority to seize anything (if necessary by detaching it from a motor vehicle) and detain it as evidence of the commission of an offence under paragraph 25 above.]

Textual Amendments

F213 Words in Sch. 23 para. 26(1)(b)(iii) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 11(1)(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F214 Words in Sch. 23 para. 26(1)(b)(iii) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 115(5)(a)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F215 Sch. 23 para. 26(2) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 11(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F216 Words in Sch. 23 para. 26(2)(a) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 115(5)(a)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F217 Words in Sch. 23 para. 26(2)(b) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 115(5)(a)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F218 Sch. 23 para. 26(2A) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 115(5)(b)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F219 Sch. 23 para. 26(3)(4)(5) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 11(1)(4)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Modifications etc. (not altering text)

C27 Sch. 23 para. 26 modified (31.5.2018) by The Silvertown Tunnel Order 2018 (S.I. 2018/574), arts. 1(2), **56(2)(c)**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I60 Sch. 23 para. 26 wholly in force at 3.7.2000; Sch. 23 para. 26 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 26 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Removal or immobilisation of motor vehicles

27 Regulations may make provision for or in connection with—

(a) the fitting of immobilisation devices to motor vehicles;

[[F220](aa) the fixing of immobilisation notices to motor vehicles to which an immobilisation device has been fitted;**]**

(b) the removal and storage of motor vehicles;

(c) the release of motor vehicles from immobilisation devices or from storage;

(d) requiring the satisfaction of conditions before the release of a motor vehicle **[**[F221]; and.

(e) the sale or destruction of motor vehicles not released.

(2) A person who removes or interferes with an immobilisation notice in contravention of provision made by virtue of sub-paragraph (1) above is guilty of an offence.

(3) A person who removes or attempts to remove an immobilisation device fixed to a motor vehicle in accordance with provision made by virtue of sub-paragraph (1) above in contravention of such provision is guilty of an offence.

(4) A person who intentionally obstructs a person exercising any power conferred on him by provision made by virtue of sub-paragraph (1) above is guilty of an offence.

(5) A person guilty of an offence under sub-paragraph (2) above shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) A person guilty of an offence under sub-paragraph (3) or (4) above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.**]**

Textual Amendments

F220 Sch. 23 para. 27(aa) inserted (E.W.) (1.2.2001 (E.) otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 12(1)(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F221 Sch. 23 para. 27(1)(e)(2)-(6) and the words "; and" immediately preceding sub-para. (1)(e) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 12(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Modifications etc. (not altering text)

C28 Sch. 23 para. 27 modified (31.5.2018) by The Silvertown Tunnel Order 2018 (S.I. 2018/574), arts. 1(2), **56(2)(d)**

Commencement Information

I61 Sch. 23 para. 27 wholly in force at 3.7.2000; Sch. 23 para. 27 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 27 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Determination of disputes and appeals

28 **[**[F222]The Lord Chancellor may by regulations**]** make provision for or in connection with—

(a) the determination of disputes;

(b) appeals against determinations or any failure to make a determination;

(c) the appointment of persons to hear any such appeals.

Textual Amendments

F222 Words in Sch. 23 para. 28 substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 13** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I62 Sch. 23 para. 28 wholly in force at 3.7.2000; Sch. 23 para. 28 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 28 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

[**[F223]Approval of equipment and directions for use**]

Textual Amendments

F223 Sch. 23 para. 29 heading substituted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 116(8)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

29 (1) No equipment of a description specified in a direction under this paragraph given by the Authority to Transport for London and every London borough council may be used in connection with a charging scheme unless

[[F224](a)**]** the equipment is of a type approved by the Authority**[**[F225], or

(b) the equipment is used in accordance with directions given by the Authority.**]**

(2) Where the Secretary of State considers that—

(a) equipment of any particular description used in connection with a charging scheme ("the non-standard equipment") is incompatible with a national standard for equipment of that or any other description, and

(b) the incompatibility is detrimental to the interests of persons resident in England outside Greater London,

he may give notice of that fact to the Authority.

(3) Where the Secretary of State has given notice under sub-paragraph (2) above to the Authority, the non-standard equipment may no longer be used in connection with a charging scheme except with the authorisation of the Secretary of State.

[[F226](3A) Where the Secretary of State considers that—

(a) directions under sub-paragraph (1)(b) above regarding the use of equipment in connection with a charging scheme are incompatible with regulations under section 176(2)(b) of the Transport Act 2000, and

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) the incompatibility is detrimental to the interests of persons resident in England outside Greater London,

he may give notice of that fact to the Authority.

(3B) Where the Secretary of State has given notice under sub-paragraph (3A) above to the Authority, the equipment in question may no longer be used in connection with a charging scheme except with the authorisation of the Secretary of State.**]**

(4) Any authorisation under sub-paragraph (3) **[**[F227]or (3B)**]** above may be given subject to conditions.

(5) Any authorisation under sub-paragraph (3) **[**[F228]or (3B)**]** above, and any conditions under sub-paragraph (4) above, may be varied or revoked.

(6) In this paragraph "national standard" means any standard approved by the Secretary of State by regulations **[**[F229]under section 176(2) of the Transport Act 2000.**]**.

Textual Amendments

F224 Words in Sch. 23 para. 29(1) renumbered as Sch. 23 para. 29(1)(a) (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 116(5)(a)**, 134(4); S.I. 2009/107, art. 2(1), **Sch. 1 Pt. 1**

F225 Sch. 23 para. 29(1)(b) and words inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 116(5)(b)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F226 Sch. 23 para. 29(3A)(3B) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 116(6)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F227 Words in Sch. 23 para. 29(4) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 116(7)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F228 Words in Sch. 23 para. 29(5) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 116(7)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F229 Words in Sch. 23 para. 29(6) substituted (E.W.) (1.2.2001 (E.) and otherwise *prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 14** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I63 Sch. 23 para. 29 wholly in force at 3.7.2000; Sch. 23 para. 29 not in force at Royal Assent see s. 425(2); Sch. 23 para. 29 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Evidence

30 **[**[F230]The Lord Chancellor may by regulations**]** make provision for or in connection with permitting evidence of a fact relevant to proceedings for an offence under this Schedule, or proceedings in respect of a failure to comply with the provisions of a charging scheme, to be given by the production of—

(a) a record produced by a prescribed device; and

(b) a certificate (whether in the same or another document) as to the circumstances in which the record was produced signed by a prescribed person.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F230 Words in Sch. 23 para. 30 substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 15** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Modifications etc. (not altering text)

C29 Sch. 23 para. 30 modified (31.5.2018) by The Silvertown Tunnel Order 2018 (S.I. 2018/574), arts. 1(2), **56(2)(e)**

Commencement Information

I64 Sch. 23 para. 30 wholly in force at 3.7.2000; Sch. 23 para. 30 in force at Royal Assent for certain purposes see s. 425(2); Sch. 23 para. 30 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Exclusions for motor vehicles not on roads

31 A charging scheme may not authorise or require—

(a) the imposition of charges in respect of a motor vehicle by reference to its presence in a charging area at a time at which the vehicle is not on a road;

(b) the examination, for any purpose relating to or connected with this Schedule, regulations or a charging scheme, of a motor vehicle found in a charging area at a time at which the vehicle is not on a road; or

(c) the fitting of an immobilisation device to, or the removal of, a motor vehicle found in a charging area at a time at which the vehicle is not on a road.

Modifications etc. (not altering text)

C30 Sch. 23 para. 31 excluded (22.7.2008) by Transport for London Act 2008 (c. i), ss. 1(1), **6(1)**

Commencement Information

I65 Sch. 23 para. 31 wholly in force at 3.7.2000; Sch. 23 para. 31 not in force at Royal Assent see s. 425(2); Sch. 23 para. 31 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Expenses

32 The Authority, Transport for London or a London borough council may—

(a) incur expenditure in or in connection with the establishment or operation of a charging scheme; or

(b) enter into arrangements (including arrangements for forming or participating in companies) with any body or person in respect of the operation of a charging scheme or relating to the installation or operation of any equipment used for or in connection with the operation of a charging scheme.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I66 Sch. 23 para. 32 wholly in force at 3.7.2000; Sch. 23 para. 32 not in force at Royal Assent see s. 425(2); Sch. 23 para. 32 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Directions by the Authority

33 (1) The Authority may give to any London borough council general or specific directions requiring the council to exercise, in such manner as may be specified in the directions, —

(a) any of the council's powers under this Schedule; or

(b) for purposes connected with a charging scheme made by that council or any other authority, any of the council's powers under any other enactment relating to the management or control of traffic.

(2) A London borough council shall comply with any directions given to the council by the Authority.

Commencement Information

I67 Sch. 23 para. 33 wholly in force at 3.7.2000; Sch. 23 para. 33 not in force at Royal Assent see s. 425(2); Sch. 23 para. 33 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Guidance by the Authority

34 (1) The Authority may issue guidance to Transport for London or any London borough council in relation to the discharge of their functions under this Schedule.

(2) Transport for London or a London borough council in exercising any function under this Schedule shall have regard to any guidance issued by the Authority under this paragraph.

[[F231](3) Guidance issued under this paragraph shall be published in such manner as the Authority consider appropriate; and the Authority may at any time vary or revoke such guidance.**]**

Textual Amendments

F231 Sch. 23 para. 34(3) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 16** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I68 Sch. 23 para. 34 wholly in force at 3.7.2000; Sch. 23 para. 34 not in force at Royal Assent see s. 425(2); Sch. 23 para. 34 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

[F232 Information

Textual Amendments

F232 Sch. 23 para. 34A and cross-heading preceding it inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 17** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F233 34A(1) Information obtained by—

(a) any Minister of the Crown or government department, or

(b) any local authority or other statutory body,

may be disclosed to **[**F234Transport for London or a London borough council for or in connection with the performance or proposed performance of any of their functions under this Schedule or with respect to a charging scheme or proposed charging scheme **]**.

[F235(2) Information obtained by Transport for London or a London borough council for or in connection with their functions other than their functions under this Schedule may be used by them for or in connection with the performance or proposed performance of any of their functions under this Schedule or with respect to a charging scheme or proposed charging scheme.**]**

(3) Any information—

(a) which has been or could be disclosed to a charging authority under sub-paragraph (1) above for or in connection with the exercise of any of their functions with respect to a charging scheme, or

(b) which has been or could be used by an authority by virtue of sub-paragraph (2) above for or in connection with the exercise of any of those functions,

may be disclosed to any person with whom the authority has entered into arrangements under paragraph 32(b) above.

(4) Information disclosed to a person under sub-paragraph (3) above—

(a) may be disclosed to any other person for or in connection with the charging scheme; but

(b) may not be used (by him or any other person to whom it is disclosed under paragraph (a) above) otherwise than for or in connection with the charging scheme.**]**

[F236(5) The Secretary of State may charge a reasonable fee in respect of the cost of supplying information under sub-paragraph (1) or (3).

(6) Where Transport for London or a London borough council asks the Secretary of State to obtain overseas registration information from an overseas registration authority with a view to the Secretary of State disclosing that information under sub-paragraph (1) or (3), the Secretary of State may charge a reasonable fee in respect of the cost of obtaining, or seeking to obtain, the information.

(7) In this paragraph—

"overseas registration authority" means any authority of a country or territory outside the United Kingdom with responsibility under the law of that country or territory for maintaining a register of vehicles;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

"overseas registration information" means information derived from particulars contained in a register of vehicles that is maintained by an overseas registration authority.**]**

Textual Amendments

F233 Sch. 23 para. 34A and cross-heading preceding it inserted (E.W.) (1.2.2001 (E.) and otherwise *prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 17** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F234 Words in Sch. 23 para. 34A(1) substituted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 118(7)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F235 Sch. 23 para. 34A(2) substituted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 118(8)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

F236 Sch. 23 paras. 34A(5)-(7) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 118(9)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

[F237 Power to require information

Textual Amendments

F237 Sch. 23 para. 34B and cross-heading inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 117(2)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

34B (1) The Secretary of State may direct—

(a) Transport for London,

(b) any London borough council, or

(c) the Authority,

to provide the Secretary of State, within a specified period, with specified information connected with any aspect of the performance or proposed performance of their functions under this Schedule.

(2) The information that may be specified in such a direction must be information which the body have in their possession or can reasonably be expected to acquire.

(3) A direction under this section may be given to two or more of the bodies mentioned in sub-paragraph (1) or to such of those bodies as are specified in the direction.**]**

Crown roads

35 (1) This Schedule applies in relation to Crown roads as it applies in relation to other roads.

(2) In sub-paragraph (1) above "Crown road" has the same meaning as in section 131 of the [M72]Road Traffic Regulation Act 1984.

Commencement Information

I69 Sch. 23 para. 35 wholly in force at 3.7.2000; Sch. 23 para. 35 not in force at Royal Assent see s. 425(2); Sch. 23 para. 35 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M72 1984 c. 27.

Crown application

36 (1) Subject to the provisions of this paragraph, the provisions of this Schedule and of regulations and charging schemes made under it shall bind the Crown.

(2) No contravention by the Crown of any provision of this Schedule or of any regulations or charging scheme made under it shall make the Crown criminally liable; but the High Court may, on the application of a charging authority, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(3) Notwithstanding anything in sub-paragraph (2) above, the provisions of this Schedule and of regulations and charging schemes made under it shall apply to motor vehicles or persons in the public service of the Crown as they apply to other motor vehicles or persons.

(4) No power of entry conferred by this Schedule or regulations made under it shall be exercisable in relation to any motor vehicle in the public service of the Crown.

(5) Nothing in this paragraph shall be taken as in any way affecting Her Majesty in her private capacity; and this sub-paragraph shall be construed as if section 38(3) of the [M73]Crown Proceedings Act 1947 (interpretation of references in that Act to Her Majesty in her private capacity) were contained in this Act.

Commencement Information
I70 Sch. 23 para. 36 wholly in force at 3.7.2000; Sch. 23 para. 36 not in force at Royal Assent see s. 425(2); Sch. 23 para. 36 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Marginal Citations
M73 1947 c. 44.

Duration of charging schemes

37 A charging scheme shall state whether or not it is to remain in force indefinitely and, if it is not to remain in force indefinitely, shall state the period for which it is to remain in force.

Commencement Information
I71 Sch. 23 para. 37 wholly in force at 3.7.2000; Sch. 23 para. 37 not in force at Royal Assent see s. 425(2); Sch. 23 para. 37 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Variation and revocation of charging schemes

38 The power to make a charging scheme includes power **[**[F238], exercisable in the same manner, and subject to the same conditions and limitations,**]** to vary or revoke such

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

a scheme **[**[F239]; and paragraph 4 above (apart from sub-paragraphs (3)(f) and (6)) applies in relation to the variation or revocation of a charging scheme as to the making of a charging scheme.**]**.

Textual Amendments

F238 Words in Sch. 23 para. 38 repealed (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 274, 275(1), Sch. 13 para. 18(a), **Sch. 31 Pt. III** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F239 Words in Sch. 23 para. 38 inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 18(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I72 Sch. 23 para. 38 wholly in force at 3.7.2000; Sch. 23 para. 38 in force at Royal Assent for certain purpsoes see s. 425(2); Sch. 23 para. 38 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

SCHEDULE 24

Section 296.

WORKPLACE PARKING LEVY

Interpretation

1 (1) In this Schedule, except where the context otherwise requires—

"borough scheme" means any licensing scheme other than a TfL scheme;

"contract of employment" means a contract of service or apprenticeship, whether express or implied, and (if express) whether oral or in writing;

"controlled vehicle" shall be construed in accordance with paragraph 5 below (but subject to any provision made by, or by regulations made by virtue of, any other provision of this Schedule);

"employed" means employed under a contract of employment;

"employee" means a person employed under a contract of employment;

"licence" means a licence authorising the parking of a maximum number of controlled vehicles at any one time in parking places provided at the licensed premises **[**[F240]by the occupier of those premises**]**; and "licensed unit" means each unit comprised in that maximum number;

"licensed premises", in the case of any licence, means the premises to which the licence relates;

"licensing area" means an area to which a licensing scheme applies;

"licensing authority" means an authority which is the maker of a licensing scheme;

"licensing scheme" means a scheme for the licensing of persons providing workplace parking places at premises in an area designated in the scheme;

"motor vehicle" has the same meaning as in section 295 of this Act;

"net proceeds", in relation to a licensing scheme **[**[F241]and a financial year, means the amount (if any) by which—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) the amounts received under or in connection with the scheme which are attributable to the financial year, exceed

(b) the expenses incurred for or in connection with the scheme which are so attributable;**]**

[[F242]"occupier", in relation to any premises, means the person who is the occupier for the purposes of non-domestic rates;**]**

"penalty charge" has the same meaning as in paragraph 18 below;

"penalty charge notice" means notice of a penalty charge;

"prescribed" means specified in, or determined in accordance with, regulations;

"regulations" means **[**[F243](except where otherwise provided)**]**regulations made by the Secretary of State;

"relevant transport purpose" means any purpose which directly or indirectly facilitates the implementation of any policies or proposals set out in the Mayor's transport strategy;

"TfL scheme" means a licensing scheme made by Transport for London;

"workplace parking place" means a parking place provided and occupied as mentioned in paragraph 3 below.

[[F244](2) For the purposes of this Schedule—

(a) the amounts received under or in connection with a licensing scheme, and

(b) the expenses incurred for or in connection with such a scheme,

and the extent to which they are attributable to any financial year, shall be determined in accordance with regulations under this sub-paragraph.**]**

(3) Any reference in this Schedule to a class of motor vehicles is a reference to a class defined or described by reference to any characteristics of the motor vehicles or to any other circumstances whatsoever.

(4) For the purposes of this Schedule—

(a) the City of London shall be treated as if it were a London borough;

(b) the Common Council shall be treated as if it were the council for a London borough; and

(c) the Inner Temple and the Middle Temple shall be treated as forming part of the City.

Textual Amendments

F240 Sch. 24 para. 1(1): words in definition of "licence"
repealed (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 274, 275(1), Sch. 13 paras. 19, 20(1)(2), **Sch. 31 Pt. III** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F241 Sch. 24 para. 1(1): words in definition of "net proceeds"
and sub. (a)(b) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) for words by 2000 c. 38, ss. 199, 275(1), Sch. 13 paras. 19, **20(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F242 Sch. 24 para. 1(1): definition of "occupier"

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

repealed (E.W.) (1.2.2001 (E.) otherwise and*prosp.*) by 2000 c. 38, ss. 199, 274, 275(1), Sch. 13 paras. 19, 20(1)(4), **Sch. 31 Pt. III** (with s. 196)

F243 Sch. 24 para. 1(1): words in definition of
"regulations"
inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), Sch. 13 paras. 19, **20(1)(5)** (with s. 196)

F244 Sch. 24 para. 1(2) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), Sch. 13 paras. 19, **20(1)(6)** (with s. 196)

Commencement Information

I73 Sch. 24 para. 1 wholly in force at 3.7.2000; Sch. 24 para. 1 in force at Royal Assent for certain purposes see s. 425(2); Sch. 24 para. 1 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Authority functions exercisable by the Mayor

2 Any functions conferred or imposed on the Authority by or under this Schedule are exercisable by the Mayor acting on behalf of the Authority.

Commencement Information

I74 Sch. 24 para. 2 wholly in force at 3.7.2000; Sch. 24 para. 2 in force at Royal Assent for certain purposes see s. 425(2); Sch. 24 para. 2 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Provision of workplace parking places

3 (1) For the purposes of this Schedule and section 296 of this Act, **[**[F245]a workplace parking place is provided at any premises at any time if a parking place provided at the premises is at that time**]** occupied by a motor vehicle used—

(a) by a relevant person, or

(b) by an employee, agent, supplier, business customer or business visitor of a relevant person, or

(c) by a pupil or student attending a course of education or training provided by a relevant person, or

[[F246](d) where a body whose affairs are controlled by its members is a relevant person, by a member of the body engaged in the carrying on of any business of the body,**]**

for attending a place at which the relevant person carries on business at or in the vicinity of the premises.

(2) In this paragraph "relevant person" means—

(a) the person who provides the parking place in question;

(b) any other person with whom that person has entered into arrangements to provide the parking place (whether or not for that other person's own use); or

(c) any person who is associated with a person who falls within paragraph (a) or (b) above.

(3) For the purposes of sub-paragraph (2)(c) above any two persons are "associated" if and only if—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) one is a company of which the other (directly or indirectly) has control; or

(b) both are companies of which a third person (directly or indirectly) has control.

(4) For the purposes of this paragraph—

"business" includes—

(a) any trade, profession, vocation or undertaking;

(b) the functions of any office holder;

(c) the provision of any course of education or training; and

(d) the functions of, or any activities carried on by, a government department, local authority or other statutory body;

"business customer", in relation to a relevant person, means a client or customer of the relevant person who is attending at the premises of the relevant person for the purposes of a business carried on by that client or customer;

"business visitor", in relation to a relevant person, means an individual who—

(a) in the course of his employment, or

(b) in the course of carrying on a business or for the purposes of a business carried on by him,

is visiting the relevant person or any premises whose occupier is the relevant person;

"supplier", in relation to a relevant person, means—

(a) a person supplying, or seeking to supply, goods or services to the relevant person for the purposes of a business carried on by the relevant person; or

(b) any agent or sub-contractor of such a person.

Textual Amendments

F245 Words in Sch. 24 para. 3(1) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 21(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F246 Sch. 24 para. 3(1)(d) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 21(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I75 Sch. 23 para. 3 wholly in force at 3.7.2000; Sch. 24 para. 3 not in force at Royal Assent see s. 425(2); Sch. 24 para. 3 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Power to amend paragraph 3 above

4 The Secretary of State may by regulations amend paragraph 3 above for the purpose of adding, removing or varying cases where, for the purposes of this Schedule and section 296 of this Act, a person provides a workplace parking place.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I76 Sch. 24 para. 4 wholly in force at 3.7.2000; Sch. 24 para. 4 in force at Royal Assent for certain purposes see s. 425(2); Sch. 24 para. 4 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Controlled vehicles

5 Where the provision of a parking place for a motor vehicle by a person at any premises constitutes the provision of a workplace parking place, then, for the purposes of this Schedule, the vehicle is a "controlled vehicle" as respects that person and those premises, subject to any exemption conferred by a licensing scheme.

Commencement Information

I77 Sch. 24 para. 5 wholly in force at 3.7.2000; Sch. 24 para. 5 not in force at Royal Assent see s. 425(2); Sch. 24 para. 5 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Conditions for making a licensing scheme

6 A licensing scheme may only be made if it appears desirable or expedient for the purpose of directly or indirectly facilitating the implementation of any policies or proposals set out in the Mayor's transport strategy.

Commencement Information

I78 Sch. 24 para. 6 wholly in force at 3.7.2000; Sch. 24 para. 6 not in force at Royal Assent see s. 425(2); Sch. 24 para. 6 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Making a licensing scheme

7 (1) Any licensing scheme must be contained in an order—

(a) made under this Schedule by the authority making the scheme; and

(b) submitted to, and confirmed (with or without modification) by, the Authority.

(2) An order containing a licensing scheme shall be in such form as the Authority may determine.

(3) The Authority may—

(a) consult, or require an authority making a licensing scheme to consult, other persons;

[[F247](aa) require such an authority to publish its proposals for the scheme and to consider objections to the proposals;**]**

(b) hold an inquiry, or cause an inquiry to be held, for the purposes of any order containing a licensing scheme;

(c) appoint the person or persons by whom any such inquiry is to be held;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(d) make modifications to any such order, whether in consequence of any objections or otherwise, before the order takes effect;

[[F248](da) require the authority by whom any such order is made to publish notice of the order and of its effect.**]**

[[F249](e) require any such order to include such exemptions for such purposes as the Authority may determine.**]**

[[F250](4) Subsections (2) and (3) of section 250 of the [M74]Local Government Act 1972 (witnesses at local inquiries) apply in relation to any inquiry held by virtue of sub-paragraph (3)(b) above.

[F250](5) Where an inquiry is held by virtue of sub-paragraph (3)(b) above for the purposes of any order containing a licensing scheme—

(a) the costs of the inquiry shall be paid by the licensing authority; and

(b) the parties at the inquiry shall bear their own costs.**]**

Textual Amendments

F247 Sch. 24 para. 7(3)(aa) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 22(1)(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F248 Sch. 24 para. 7(3)(da) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 22(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F249 Sch. 24 para. 7(3)(e) repealed (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 274, 275(1), Sch. 13 para. 22(1)(4), **Sch. 31 Pt. III** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F250 Sch. 24 para. 7(4)(5) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 22(1)(5)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I79 Sch. 24 para. 7 wholly in force at 3.7.2000; Sch. 24 para. 7 not in force at Royal Assent see s. 425(2); Sch. 24 para. 7 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Marginal Citations

M74 1972 c. 70.

Scheme to conform with Mayor's transport strategy

8 A licensing scheme must be in conformity with the Mayor's transport strategy.

Commencement Information

I80 Sch. 24 para. 8 wholly in force at 3.7.2000; Sch. 24 para. 8 not in force at Royal Assent see s. 425(2); Sch. 24 para. 8 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Approval of Authority required for inclusion of certain provisions

9 The approval of the Authority must be obtained before there is included in a borough scheme any provision of a description specified in a direction under this paragraph given by the Authority to the London borough councils.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I81 Sch. 24 para. 9 wholly in force at 3.7.2000; Sch. 24 para. 9 not in force at Royal Assent see s. 425(2); Sch. 24 para. 9 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Joint licensing schemes

10 (1) The Authority may authorise or require two or more London borough councils acting jointly to make a licensing scheme applying to the whole or part of their combined areas (a "joint licensing scheme").

(2) In the application of this Schedule in relation to a joint licensing scheme, any reference to the licensing authority is a reference to all or any of the London borough councils concerned.

Commencement Information

I82 Sch. 24 para. 10 wholly in force at 3.7.2000; Sch. 24 para. 10 not in force at Royal Assent see s. 425(2); Sch. 24 para. 10 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

The contents of a licensing scheme

11 A licensing scheme must—

(a) designate the area to which it applies;

(b) state the days on which, and hours during which, the authorisation of a licence is required;

(c) specify the rates of charge applicable in respect of licences.

Commencement Information

I83 Sch. 24 para. 11 wholly in force at 3.7.2000; Sch. 24 para. 11 not in force at Royal Assent see s. 425(2); Sch. 24 para. 11 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Prohibition on multiple licensing schemes

12 The same premises shall not be subject to more than one licensing scheme at the same time.

Commencement Information

I84 Sch. 24 para. 12 wholly in force at 3.7.2000; Sch. 24 para. 12 not in force at Royal Assent see s. 425(2); Sch. 24 para. 12 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

The charges

13 (1) The rates of charge applicable in respect of licences shall be expressed as a specified sum of money for each licensed unit.

(2) The rates of charge that may be imposed by a licensing scheme include different charges (which may be no charge) for—

(a) different days;
(b) different times of day;
(c) different parts of a licensing area;
(d) different classes of controlled vehicles;
(e) different numbers of licensed units.

(3) In setting the rates of charge, regard may be had to the purposes for which the licensing authority is to apply the net proceeds of the scheme.

Commencement Information

I85 Sch. 24 para. 13 wholly in force at 3.7.2000; Sch. 24 para. 13 not in force at Royal Assent see s. 425(2); Sch. 24 para. 13 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

The contents of a licence

14 (1) A licence under a licensing scheme must—

(a) state the name of the person to whom it is granted;
(b) identify the premises to which it relates;
(c) specify the maximum number of controlled vehicles which may be parked at those premises at any one time; and
(d) state the amount paid in respect of the licence and set out the calculation of that amount.

(2) A licence may be granted subject to conditions.

Commencement Information

I86 Sch. 24 para. 14 wholly in force at 3.7.2000; Sch. 24 para. 14 not in force at Royal Assent see s. 425(2); Sch. 24 para. 14 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Duration of licences

F251**[**15 A licence may not be granted for a period of more than one year.**]**

Textual Amendments

F251 Sch. 24 para. 15 substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 23** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I87 Sch. 24 para. 15 partly in force; Sch. 24 para. 15 not in force at Royal Assent see s. 425(2); Sch. 24 para. 15 in force for certain purposes at 8.5.2000 by S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**

Licensing: procedure

16 F252(1) A licensing scheme may include provision for or in connection with—

(a) the making of an application for a licence;

(b) the grant of a licence (which must be for the licensed units applied for);

(c) the issue of a licence;

(d) the variation or revocation of a licence.

[F253(2) A person who intentionally provides false or misleading information in or in connection with an application for a licence is guilty of an offence and liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum; or

(b) on conviction on indictment, to a fine.**]**

Textual Amendments

F252 Sch. 24 para. 16 renumbered as 16(1) (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 24** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F253 Sch. 24 para. 16(2) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 24** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I88 Sch. 24 para. 16 wholly in force at 3.7.2000; Sch. 24 para. 16 not in force at Royal Assent see s. 425(2); Sch. 24 para. 16 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Exemptions, reduced rates etc

17 (1) The Secretary of State may by regulations make provision for or in connection with exempting—

(a) a prescribed number of parking places provided at any premises from being workplace parking places, or

(b) any prescribed class of motor vehicles from being controlled vehicles,

whether generally or in the case of any prescribed description of premises or any prescribed description of disabled or other persons.

(2) The Secretary of State may by regulations make provision for or in connection with—

(a) exemptions from licensing,

(b) the application of reduced rates of charges for licences, or

(c) the imposition of limits on the charges payable for a licence,

in the case of any prescribed description of premises or any prescribed description of disabled or other persons or, in the case of paragraph (b) or (c) above, any prescribed class of motor vehicles.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) Subject to any regulations under sub-paragraph (1) or (2) above **[**[F254]and to paragraphs 7 and 9 above**]**, a licensing scheme may make provision exempting—

(a) a specified number of parking places provided at any premises from being workplace parking places, or

(b) any class of motor vehicles from being controlled vehicles,

whether generally or in relation to persons or premises of a particular description.

(4) Subject to any regulations under sub-paragraph (1) or (2) above **[**[F254]and to paragraphs 7 and 9 above**]**, a licensing scheme may make provision for or in connection with—

(a) exemptions from licensing,

(b) the application of reduced rates of charges for licences, or

(c) the imposition of limits on the charges payable for a licence,

in the case of any particular description of persons or premises or, in the case of paragraph (b) or (c) above, any particular class of motor vehicles.

Textual Amendments

F254 Words in Sch. 24 para. 17(3)(4) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 25** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I89 Sch. 24 para. wholly in force at 3.7.2000; Sch. 24 para. 17 not in force at Royal Assent see s. 425(2); Sch. 24 para. 17 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Penalty charges

18 (1) Regulations may make provision for or in connection with the imposition **[**[F255]and payment**]** of penalty charges in respect of acts, omissions, events or circumstances relating to or connected with a licensing scheme.

(2) Regulations under sub-paragraph (1) above may make provision for or in connection with setting the rates of penalty charges (which may include provision for discounts or surcharges).

[[F256](3) The Lord Chancellor may make regulations about the notification, adjudication and enforcement of penalty charges.**]**

Textual Amendments

F255 Words in Sch. 24 para. 18(1) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 26(1)(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F256 Sch. 24 para. 18(3) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 26(1)(3)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I90 Sch. 24 para. 18 partly in force; Sch. 24 para. 18 in force at Royal Assent for certain purposes see s. 425(2); Sch. 24 para. 18 in force for certain further purposes at 8.5.2000 by S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**

Liability for charges

[F257 19 Charges imposed in respect of any premises by a licensing scheme (including penalty charges imposed in respect of any premises) shall be paid—

(a) by the occupier of the premises; or

(b) in prescribed circumstances, by such person as is prescribed.]

Textual Amendments

F257 Sch. 24 para. 19 substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 27** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Determination of disputes and appeals

20 [F258 The Lord Chancellor may by regulations] make provision for or in connection with—

(a) appeals against decisions relating to licences or in the case of a failure to make such a decision;

(b) the determination of disputes;

(c) appeals against determinations of disputes or in the case of a failure to make such a determination;

(d) the appointment of persons to hear appeals.

Textual Amendments

F258 Words in Sch. 24 para. 20 substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 28** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I91 Sch. 24 para. 20 wholly in force at 3.7.2000; Sch. 24 para. 20 in force at Royal Assent for certain purposes see s. 425(2); Sch. 24 para. 20 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Accounts and funds

21 (1) A licensing authority shall keep an account [F259 relating to] each of the authority's licensing schemes.

(2) Each of the following bodies, namely—

(a) the Authority,

(b) Transport for London, and

(c) a London borough council,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

shall keep an account **[**[F259]relating to**]** the sums received by the body which represent net proceeds of licensing schemes for which the body is not the licensing authority.

(3) **[**[F260]Each**]** of the bodies required to keep an account under sub-paragraph (1) or (2) above shall prepare a statement of that account for **[**[F260]each financial year**]**.

(4) A statement of account required to be prepared under sub-paragraph (3) above for any financial year shall be published—

(a) in the case of a statement of account prepared by Transport for London, in the annual report of Transport for London under section 161 of this Act for that year;

(b) in any other case, in the annual accounts for that year of the body which prepared the statement of account.

[[F261](4A) Regulations may make further provision relating to—

(a) accounts required to be kept under sub-paragraph (1) or (2) above (including provision requiring or allowing the keeping of consolidated accounts relating to more than one licensing scheme); and

(b) the preparation and publication of statements of such accounts.**]**

(5) At the end of each financial year—

(a) any deficit in an account required to be kept under sub-paragraph (1) or (2) above shall be made good out of the body's general fund; and

(b) any surplus in any such account **[**[F262](after the application of any of the net proceeds in accordance with the following provisions)**]**shall be dealt with in accordance with sub-paragraphs (6) and (7) below.

(6) Any such surplus shall be applied towards making good to the general fund any amount charged to that fund under sub-paragraph (5)(a) above in respect of the account in question in the ten years immediately preceding the financial year in question.

(7) So much of any surplus as remains after the application of sub-paragraph (6) above shall be carried forward in the account in question to the next financial year.

(8) In the application of this paragraph in relation to Transport for London, any reference to its general fund shall be taken as a reference to its gross income.

Textual Amendments

F259 Words in Sch. 24 para. 21(1)(2) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 29(2)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F260 Words in Sch. 24 para. 21(3) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 12 para. 29(3)(a)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F261 Sch. 24 para. 21(4A) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 28(4)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F262 Words in Sch. 24 para. 21(5)(b) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 29(5)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I92 Sch. 24 para. 21 wholly in force at 3.7.2000; Sch. 24 para. 21 not in force at Royal Assent see s. 425(2); Sch. 24 para. 21 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Application of the net proceeds

22 (1) In the case of any licensing scheme which comes into force during the period of ten years beginning with the inception of the Authority, the net proceeds of the scheme shall, during the scheme's initial period, be available only for application for relevant transport purposes by any one or more of the following bodies, namely—

(a) the Authority;

(b) Transport for London; or

(c) a London borough council.

(2) Except as provided by sub-paragraph (1) above, the net proceeds of a licensing scheme shall be applied only as may be specified in, or determined in accordance with, regulations under this sub-paragraph.

(3) Regulations under sub-paragraph (2) above may include provision conferring a discretion on any body or person.

(4) The provision that may be made by regulations under sub-paragraph (2) above includes provision for sub-paragraph (1) above to continue to apply, but with the substitution for the number of years for the time being there mentioned of a number of years greater than ten.

(5) The net proceeds of licensing schemes may only be applied for purposes which provide value for money.

(6) Sub-paragraphs (1) to (5) above are without prejudice to paragraph 21(6) above.

(7) In this paragraph—

"the inception of the Authority" means the commencement of the term of office of the Mayor and Assembly members returned at the first ordinary election;

"the initial period", in the case of any licensing scheme, means—

(a) the period of ten years beginning with the coming into force of the scheme; or

(b) such longer period as the Secretary of State may allow in the case of any particular scheme.

Modifications etc. (not altering text)

C31 Sch. 24 para. 22 power to apply (with modifications) conferred (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I93 Sch. 24 para. 22 wholly in force at 3.7.2000; Sch. 24 para. 22 in force at Royal Assent for certain purposes see s. 425(2); Sch. 24 para. 22 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Provisions supplementary to paragraph 22

23 (1) Before making any regulations under paragraph 22(2) above, the Secretary of State shall make an assessment of what he considers to be—

(a) the likely amounts of net proceeds of licensing schemes; and

(b) the potential for spending such net proceeds on relevant transport purposes which provide value for money.

(2) Before making any such regulations, the Secretary of State shall consult the Authority.

(3) The Secretary of State may issue guidance to the Authority, Transport for London and the London borough councils with respect to the appraisal of whether any application of net proceeds of a licensing scheme for any purpose provides value for money.

(4) In determining how to apply the net proceeds of licensing schemes, the Authority, Transport for London and any London borough council shall comply with any guidance issued by the Secretary of State under sub-paragraph (3) above.

(5) The Secretary of State may at any time vary the guidance under sub-paragraph (3) above.

(6) In determining for the purposes of paragraph 22 above when the initial period there mentioned begins or expires in the case of any licensing scheme, regulations may make provision as to circumstances in which—

(a) the same licensing scheme is to be regarded as continuing in force, notwithstanding the making of amendments or the revocation and replacement (with or without modifications) of a scheme; or

(b) a different scheme is, or is not, to be regarded as coming into force.

Modifications etc. (not altering text)

C32 Sch. 24 para. 23 power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I94 Sch. 24 para. 23 wholly in force at 3.7.2000; Sch. 24 para. 23 in force at Royal Assent for certain purposes see s. 425(2); Sch. 24 para. 23 in force for certain further purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Apportionment of net proceeds of licensing schemes

24 (1) The Authority may require a licensing scheme to include provision for such portion of the net proceeds as the Authority may determine to be paid to—

(a) the Authority,

(b) Transport for London, or

(c) such London borough councils as may be specified or described by the Authority,

for application for relevant transport purposes.

(2) In this Schedule, any reference to a licensing authority's share of the net proceeds of a licensing scheme is a reference to so much of the net proceeds of the scheme

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

as remains after the making of any payments to other bodies or persons required by virtue of sub-paragraph (1) above or regulations under paragraph 22(2) above.

(3) For the purposes of this Schedule, the payment by the Authority of a sum received by the Authority by virtue of sub-paragraph (1) above to any body corporate for the purpose of the application of that sum by that body for relevant transport purposes shall be taken to be the application of that sum by the Authority for relevant transport purposes.

Modifications etc. (not altering text)

C33 Sch. 24 para. 24 power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I95 Sch. 24 para. 24 wholly in force at 3.7.2000; Sch. 24 para. 24 not in force at Royal Assent see s. 425(2); Sch. 24 para. 24 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Licensing authority's 10 year plan for their share

25 (1) A licensing scheme must include a statement of the licensing authority's proposed general plan for applying the authority's share of the net proceeds of the scheme during the opening ten year period.

(2) In sub-paragraph (1) above, "the opening ten year period", in relation to any licensing scheme, means the period which—

(a) begins with the date on which the scheme comes into force; and

(b) ends with the tenth financial year that commences on or after that date.

(3) An order containing a licensing scheme shall not come into force unless and until the statement required by sub-paragraph (1) above has been approved—

(a) by the Secretary of State; and

(b) if the scheme is a borough scheme, by the Authority.

(4) In the case of a borough scheme, an application for approval under sub-paragraph (3)(a) above may only be made—

(a) by the Authority acting on behalf of the licensing authority; and

(b) after the giving by the Authority of the approval required by sub-paragraph (3)(b) above.

Modifications etc. (not altering text)

C34 Sch. 24 para. 25 power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I96 Sch. 24 para. 25 wholly in force at 3.7.2000; Sch. 24 para. 25 not in force at Royal Assent see s. 425(2); Sch. 24 para. 25 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Licensing authority's 4 year programmes for their share

26 (1) As long as a licensing scheme remains in force, the licensing authority shall, during every fourth financial year after the financial year in which the scheme comes into force, prepare a written statement of their proposed general programme for applying the authority's share of the net proceeds of the scheme during the next four financial years.

(2) Any statement required to be prepared under sub-paragraph (1) above must be submitted for approval to—

(a) the Secretary of State; and

(b) in the case of a borough scheme, the Authority.

(3) Any statement required to be submitted to the Secretary of State under sub-paragraph (2)(a) above must be so submitted not less than six months before the end of the financial year during which the statement is required to be prepared.

(4) In the case of a borough scheme, any submission to the Secretary of State under sub-paragraph (2)(a) above may only be made—

(a) by the Authority acting on behalf of the licensing authority; and

(b) after the giving by the Authority of the approval required by sub-paragraph (2)(b) above.

(5) Any statement prepared and approved under this paragraph in the case of a licensing scheme prevails for all purposes over any conflicting provisions in the statement included in the scheme pursuant to paragraph 25 above.

Modifications etc. (not altering text)

C35 Sch. 24 para. 26 power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I97 Sch. 24 para. 26 wholly in force at 3.7.2000; Sch. 24 para. 26 not in force at Royal Assent see s. 425(2); Sch. 24 para. 26 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Authority's 10 year plan for the redistributed portion

27 (1) This paragraph applies in relation to a licensing scheme which by virtue of paragraph 24(1) above includes provision for a portion of the net proceeds of the scheme (the "redistributed portion") to be paid by the licensing authority to another body.

(2) The Authority shall prepare and submit to the Secretary of State a statement of the Authority's general plan for the application (whether by the Authority or any other body) of the redistributed portion during the opening ten year period.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) In sub-paragraph (2) above, "the opening ten year period", in relation to any licensing scheme, means the period which—

(a) begins with the date on which the scheme comes into force; and

(b) ends with the tenth financial year that commences on or after that date.

(4) An order containing a licensing scheme shall not come into force unless and until any statement required by sub-paragraph (2) above in the case of that scheme has been approved by the Secretary of State.

Modifications etc. (not altering text)

C36 Sch. 24 para. 27 power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I98 Sch. 24 para. 27 wholly in force at 3.7.2000; Sch. 24 para. 27 not in force at Royal Assent see s. 425(2); Sch. 24 para. 27 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Authority's 4 year programmes for the redistributed portion

28 (1) As long as a licensing scheme to which paragraph 27 above applies remains in force, the Authority shall, during every fourth financial year after the financial year in which the scheme comes into force, prepare the statement described in sub-paragraph (2) below.

(2) That statement is a written statement of the Authority's proposed general programme for the application (whether by the Authority or any other body) of the redistributed portion of the net proceeds of the scheme during the next four financial years.

(3) Any statement required to be prepared under sub-paragraph (1) above must be submitted for approval to the Secretary of State not less than six months before the end of the financial year during which the statement is required to be prepared.

(4) A statement prepared and approved under this paragraph for any scheme prevails for all purposes over any conflicting provisions in the statement prepared and approved under paragraph 27 above for that scheme.

Modifications etc. (not altering text)

C37 Sch. 24 para. 28 power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I99 Sch. 24 para. 28 wholly in force at 3.7.2000; Sch. 24 para. 28 not in force at Royal Assent see s. 425(2); Sch. 24 para. 28 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Non-compliance with paragraph 26 or 28 above

29 (1) Except with the consent of the Secretary of State in any particular case, none of the licensing authority's share of the net proceeds of a licensing scheme may be applied in any financial year beginning after the end of the opening four year period unless and until a statement under paragraph 26 above having effect in relation to a period in which that year falls has been prepared and approved under that paragraph.

(2) Except with the consent of the Secretary of State in any particular case, none of the redistributed portion of the net proceeds of a licensing scheme may be applied in any financial year beginning after the end of the opening four year period unless and until a statement under paragraph 28 above having effect in relation to a period in which that year falls has been prepared and approved under that paragraph in relation to the scheme.

(3) In this paragraph, "the opening four year period", in relation to any licensing scheme, means the period which—

(a) begins with the date on which the scheme comes into force; and

(b) ends with the fourth financial year that commences on or after that date.

Modifications etc. (not altering text)

C38 Sch. 24 para. 29 power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I100 Sch. 24 para. 29 wholly in force at 3.7.2000; Sch. 24 para. 29 not in force at Royal Assent see s. 425(2); Sch. 24 para. 29 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

4 year programmes: amendment, replacement and voluntary statements

30 (1) Where a statement has been prepared and approved under paragraph 26 or 28 above, the authority which prepared the statement may—

(a) amend the statement, or

(b) replace it with another statement (a "replacement statement"),

but subject to the following provisions of this paragraph.

(2) Subject to the following provisions of this paragraph, where a licensing scheme is in force—

(a) the licensing authority may prepare a statement such as is described in paragraph 26(1) above, and

(b) if the licensing scheme is one to which paragraph 27 above applies, the Authority may prepare a statement such as is described in paragraph 28(2) above,

at any time before the beginning of the first financial year for which a statement under paragraph 26 or, as the case may be, paragraph 28 above is required to be prepared in respect of the scheme.

(3) For the purposes of this paragraph—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) a "voluntary statement" is a statement prepared under sub-paragraph (2)(a) or (b) above,

(b) a statement prepared under sub-paragraph (2)(a) above shall be treated as a statement prepared under paragraph 26 above and, if approved in accordance with the provisions of this paragraph, as approved under that paragraph, and

(c) a statement prepared under sub-paragraph (2)(b) above shall be treated as a statement prepared under paragraph 28 above and, if approved in accordance with the provisions of this paragraph, as approved under that paragraph,

and references to statements under paragraph 26 or 28 above shall be construed accordingly.

(4) The power conferred by sub-paragraph (1)(b) or (2) above is exercisable—

(a) in the case of a statement under paragraph 26 above in respect of a borough scheme, during the period of six months beginning with the day on which a change of control of the London borough council concerned occurs; or

(b) in any other case, during the period of six months beginning with the term of office of any person returned as the Mayor at an ordinary election or at an election under section 16 of this Act.

(5) Where, in exercise of the powers conferred by this paragraph, an authority proposes—

(a) to amend or replace a statement prepared and approved under paragraph 26 or 28 above, or

(b) to prepare a voluntary statement,

sub-paragraph (6) below applies.

(6) Where this sub-paragraph applies, the amendment, replacement statement or voluntary statement must be submitted for approval—

(a) to the Secretary of State; and

(b) if the statement concerned or affected is one prepared in respect of a borough scheme by the licensing authority, to the Authority.

(7) Where sub-paragraph (6)(b) above applies, any submission to the Secretary of State under sub-paragraph (6)(a) above may only be made—

(a) by the Authority acting on behalf of the licensing authority concerned; and

(b) after the giving by the Authority of the approval required by sub-paragraph (6)(b) above.

(8) Where a statement prepared and approved under paragraph 26 or 28 above is amended in accordance with this paragraph, the statement shall continue to be regarded for the purposes of this Schedule as a statement so prepared and approved, notwithstanding the amendment.

(9) A replacement statement or a voluntary statement must relate to the four financial years beginning with the financial year in which it takes effect (disregarding so much of that year as has expired before the statement takes effect).

(10) A replacement statement or voluntary statement prepared and approved under this paragraph shall be taken for the purposes of this Schedule to be a statement prepared and approved—

(a) under paragraph 26 above, if it was prepared in respect of a licensing scheme by the licensing authority; or

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) under paragraph 28 above, if it was prepared by the Authority.

(11) Where a voluntary statement or replacement statement prepared by an authority takes effect, the time at which any subsequent statement is required to be prepared by that authority by virtue of paragraph 26 or 28 above in respect of the licensing scheme in question shall be determined as if the financial year preceding that in which the replacement statement or voluntary statement takes effect had been such a fourth year as is mentioned in sub-paragraph (1) of that paragraph.

Modifications etc. (not altering text)

C39 Sch. 24 para. 30 power to apply (with modifications) conferred (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 191, 275(1), **Sch. 12 para. 12(2)(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I101 Sch. 24 para. 30 wholly in force at 3.7.2000; Sch. 24 para. 30 not in force at Royal Assent see s. 425(2); Sch. 24 para. 30 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Rights of entry

31 (1) Where a person duly authorised in writing by a licensing authority has reason to believe that any premises are being used for the provision of workplace parking places, he may at any reasonable time enter those premises for the purpose of—

(a) ascertaining whether controlled vehicles are parked at those premises without a licence in respect of those premises;

(b) ascertaining whether there are parked at those premises controlled vehicles in excess of the number permitted by a licence in respect of those premises; or

(c) ascertaining whether there is or has been any contravention of the conditions of a licence in respect of those premises.

(2) A person duly authorised in writing by a licensing authority may at any reasonable time enter any premises for the purpose of issuing a penalty charge notice.

(3) A person authorised under sub-paragraph (1) or (2) above to enter any premises shall, if so required, produce evidence of his authority before so entering.

(4) Any person who **[**[F263]intentionally**]** obstructs a person acting in the exercise of his powers under sub-paragraph (1) or (2) above shall be guilty of an offence and liable—

(a) on summary conviction to a fine not exceeding **[**[F263]the statutory maximum**]**; or

(b) on conviction on indictment, to a fine.

(5) Where any land is damaged in the exercise of a right of entry conferred under sub-paragraph (1) or (2) above, compensation in respect of that damage may be recovered by any person interested in the land from the licensing authority on whose behalf the entry was effected.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(6) The provisions of section 118 of the [M75]Town and Country Planning Act 1990 shall apply in relation to compensation under sub-paragraph **[**[F264](5)**]** above as they apply in relation to compensation under Part IV of that Act.

Textual Amendments

F263 Words in Sch. 24 para. 31(4) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 30(a)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F264 Word in Sch. 24 para. 31(6) substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 30(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I102 Sch. 24 para. 31 wholly in force at 3.7.2000; Sch. 24 para. 31 not in force at Royal Assent see s. 425(2); Sch. 24 para. 31 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Marginal Citations

M75 1990 c. 8.

Evidence

32 **[**[F265]The Lord Chancellor may by regulations**]** make provision for or in connection with permitting evidence of a fact relevant to proceedings for an offence under this Schedule, or proceedings in respect of a failure to comply with the provisions of a licensing scheme, to be given by the production of—

(a) a record produced by a prescribed device; and

(b) a certificate (whether in the same or another document) as to the circumstances in which the record was produced signed by a prescribed person.

Textual Amendments

F265 Words in Sch. 24 para. 32 substituted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 31** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Commencement Information

I103 Sch. 24 para. 32 wholly in force at 3.7.2000; Sch. 24 para. 32 not in force at Royal Assent see s. 425(2); Sch. 24 para. 32 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Expenses

33 The Authority, Transport for London or a London borough council may—

(a) incur expenditure in or in connection with the establishment or operation of a licensing scheme; or

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) enter into arrangements (including arrangements for forming or participating in companies) with any body or person in respect of the operation of a licensing scheme or relating to the installation or operation of any equipment used for or in connection with the operation of a licensing scheme.

Commencement Information

I104 Sch. 24 para. 33 wholly in force at 3.7.2000; Sch. 24 para. 33 not in force at Royal Assent see s. 425(2); Sch. 24 para. 33 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Directions by the Authority

34 (1) The Authority may give to any London borough council general or specific directions requiring the council to exercise, in such manner as may be specified in the directions, —

(a) any of the council's powers under this Schedule; or

(b) for purposes connected with a licensing scheme made by that council or any other authority, any of the council's powers under any other enactment relating to the management or control of traffic.

(2) A London borough council shall comply with any directions given to the council by the Authority.

Commencement Information

I105 Sch. 24 para. 34 wholly in force at 3.7.2000; Sch. 24 para. 34 not in force at Royal Assent see s. 425(2); Sch. 24 para. 34 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Guidance

35 (1) The Authority may issue guidance to Transport for London or any London borough council in relation to the discharge of their functions under this Schedule.

(2) Transport for London or a London borough council in exercising any function under this Schedule shall have regard to any guidance issued by the Authority under this paragraph.

[[F266](3) Guidance issued under this paragraph shall be published in such manner as the Authority consider appropriate; and the Authority may at any time vary or revoke such guidance.**]**

Textual Amendments

F266 Sch. 24 para. 35(3) inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 32** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I106 Sch. 24 para. 35 wholly in force at 3.7.2000; Sch. 24 para. 35 not in force at Royal Assent see s. 425(2); Sch. 24 para. 35 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

[F267 Information

Textual Amendments

F267 Sch. 24 para. 35A cross heading inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 33** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F268 35A (1) Information obtained by—

(a) any Minister of the Crown or government department, or

(b) any local authority or other statutory body,

may be disclosed to a licensing authority for or in connection with the exercise of any of their functions with respect to a licensing scheme.

(2) Information obtained by a licensing authority for or in connection with any of their functions other than their functions with respect to a licensing scheme may be used by the authority for or in connection with the exercise of any of their functions with respect to a licensing scheme.

(3) Any information—

(a) which has been or could be disclosed to a licensing authority under sub-paragraph (1) above for or in connection with the exercise of any of their functions with respect to a licensing scheme, or

(b) which has been or could be used by an authority by virtue of sub-paragraph (2) above for or in connection with the exercise of any of those functions,

may be disclosed to any person with whom the authority has entered into arrangements under paragraph 33(b) above.

(4) Information disclosed to a person under sub-paragraph (3) above—

(a) may be disclosed to any other person for or in connection with the licensing scheme; but

(b) may not be used (by him or any other person to whom it is disclosed under paragraph (a) above) otherwise than for or in connection with the licensing scheme.**]**

Textual Amendments

F268 Sch. 24 para. 35A inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 33** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Parking in the Palace of Westminster

36 (1) This paragraph has effect for the purposes of this Schedule and section 296 of this Act.

(2) The Palace of Westminster shall be treated as premises occupied by the Corporate Officer of the House of Lords and the Corporate Officer of the House of Commons acting jointly.

(3) Every motor vehicle for which a parking place is provided at the Palace of Westminster shall be taken to be a motor vehicle used as mentioned in paragraph 3(1) above if it is a vehicle used—

(a) by a Member or officer of either House of Parliament;

(b) by a person employed as a member of the House of Lords staff;

(c) by a person employed as a member of the House of Commons staff;

(d) by a person employed by a member of either House of Parliament; or

(e) by, or by an employee of, any person supplying or seeking to supply goods or services to—

(i) the House of Lords,

(ii) the House of Commons,

(iii) any member or officer of either House of Parliament,

or any agent or sub-contractor of such a person.

(4) No offence under this Schedule or regulations made under it is capable of being committed in relation to parking in the Palace of Westminster.

(5) No right of entry conferred under or by virtue of this Schedule shall be exercisable in relation to the Palace of Westminster.

(6) No penalty charge notice shall be issued in respect of parking in the Palace of Westminster.

(7) In this paragraph—

"member of the House of Commons staff" means any person—

(a) who was appointed by the House of Commons Commission; or

(b) who is a member of the Speaker's personal staff;

"member of the House of Lords staff" means any person who is employed under a contract of employment made with the Corporate Officer of the House of Lords.

Commencement Information

I107 Sch. 24 para. 36 wholly in force at 3.7.2000; Sch. 24 para. 36 not in force at Royal Assent see s. 425(2); Sch. 24 para. 36 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Crown application

37 (1) Subject to the provisions of this paragraph, the provisions of this Schedule and of regulations and licensing schemes made under it shall bind the Crown.

(2) No contravention by the Crown of any provision of this Schedule or of any regulations or licensing scheme made under it shall make the Crown criminally

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

liable; but the High Court may, on the application of a licensing authority, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(3) Notwithstanding anything in sub-paragraph (2) above, the provisions of this Schedule and of regulations and licensing schemes made under it shall apply to persons in the public service of the Crown as they apply to other persons.

(4) No power of entry conferred by this Schedule or regulations made under it shall be exercisable in relation to any premises held or used by or on behalf of the Crown.

(5) Nothing in this paragraph shall be taken as in any way affecting Her Majesty in her private capacity; and this sub-paragraph shall be construed as if section 38(3) of the [M76]Crown Proceedings Act 1947 (interpretation of references in that Act to Her Majesty in her private capacity) were contained in this Act.

Marginal Citations

M76 1947 c. 44.

Duration of licensing schemes

PROSPECTIVE

38 A licensing scheme shall state whether or not it is to remain in force indefinitely and, if it is not to remain in force indefinitely, shall state the period for which it is to remain in force.

Commencement Information

I108 Sch. 24 para. wholly in force at 3.7.2000; Sch. 24 para. 38 not in force at Royal Assent see s. 425(2); Sch. 24 para. 38 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

Variation and revocation of licensing schemes

39 The power to make a licensing scheme includes power **[**[F269], exercisable in the same manner, and subject to the same conditions and limitations,**]**to vary or revoke such a scheme **[**[F270]; and paragraph 7 above applies in relation to the variation or revocation of a licensing scheme as to the making of a licensing scheme.**]**.

Textual Amendments

F269 Words in Sch. 24 para. 39 repealed (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), 274, Sch. 13 para. 34(a), **Sch. 31 Pt. III** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

F270 Words in Sch. 24 para. 39 inserted (E.W.) (1.2.2001 (E.) and otherwise*prosp.*) by 2000 c. 38, ss. 199, 275(1), **Sch. 13 para. 34(b)** (with s. 196); S.I. 2001/57, art. 3(2), Sch. 3 Pt. I (subject to savings in **Sch. 3 Pt. II**)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I109 Sch. 24 para. 39 wholly in force at 3.7.2000; Sch. 24 para. 39 not in force at Royal Assent see s. 425(2); Sch. 24 para. 39 in force for certain purposes at 8.5.2000 and at 3.7.2000 in so far as not already in force by S.I. 2000/801, art. 2(2)(b)(c), Sch. Pts. 2, **3**

SCHEDULE 25

Section 309.

FURTHER AMENDMENTS OF THE REGIONAL DEVELOPMENT AGENCIES ACT 1998

Preliminary

F271 1 . . . . . .

Textual Amendments

F271 Sch. 25 para. 1 repealed (1.7.2012 at 0.02 a.m.) by Public Bodies Act 2011 (c. 24), s. 38(3), **Sch. 6** (with Note 1); S.I. 2012/1662, art. 2(2)(b)

Powers of the London Development Agency

F272 2 . . . . . .

Textual Amendments

F272 Sch. 25 paras. 2-5 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Regional chambers

F272 3 . . . . . .

Textual Amendments

F272 Sch. 25 paras. 2-5 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Financial arrangements

F272 4 . . . . . .

Textual Amendments

F272 Sch. 25 paras. 2-5 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Grants

F272 5 . . . . . .

Textual Amendments

F272 Sch. 25 paras. 2-5 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Borrowing by the Agency

6 F273 (1) . . . . . .

F273 (2) . . . . . .

F274 (3) . . . . . .

Textual Amendments

F273 Sch. 25 para. 6(1)(2) repealed (1.7.2012 at 0.02 a.m.) by Public Bodies Act 2011 (c. 24), s. 38(3), **Sch. 6** (with Note 1); S.I. 2012/1662, art. 2(2)(b)

F274 Sch. 25 para. 6(3) repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Guarantees of the Agency's borrowing

F275 7 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Loans to the Agency

F275 8 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Accounts

F275 9 . . . . . .

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Information, reports and accountability

F275 10 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Annual reports

F275 11 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Accountability

F275 12 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Acquisition of land

F275 13 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Power to alter regions

F275 14 . . . . . .

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Change of the Agency name

F275 15 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Power to promote or oppose Bills in Parliament

F275 16 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Power to give guidance and directions

F275 17 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Application of guidance, consent etc provisions to the Mayor

F275 18 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Interpretation

F275 19 . . . . . .

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Amendments of Schedule 2

F275 20 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

Promotion of Bills in Parliament by the London Development Agency

F275 21 . . . . . .

Textual Amendments

F275 Sch. 25 paras. 7-21 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 25 Pt. 32**; S.I. 2012/628, art. 4(d)

F276 SCHEDULE 26

Section 310.

THE METROPOLITAN POLICE AUTHORITY: SCHEDULE 2A TO THE POLICE ACT 1996

Textual Amendments

F276 Sch. 26 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, art. 3(s)(ii) (with art. 7)

"SCHEDULE 2A

. . . . . .

SCHEDULE 27

Section 325.

FURTHER AMENDMENTS RELATING TO METROPOLITAN POLICE ETC

The Metropolitan Police Act 1829

1 The following provisions of the M77 Metropolitan Police Act 1829 shall cease to have effect—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) section 1 (establishment of metropolitan police and appointment of Commissioner);
(b) section 4 (the metropolitan police district);
(c) section 5 (regulations for management of the force);
(d) sections 10 to 12 (the Receiver); and
(e) section 22 (watchboxes).

Commencement Information

I110 Sch. 27 para. 1 partly in force; Sch. 27 para. 1 not in force at Royal Assent see s. 425(2); Sch. 27 para. 1 in force for specified purposes at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.** (subject to transitional provision in Sch.)

Marginal Citations

M77 1829 c. 44.

The Metropolitan Police Act 1856

2 The following provisions of the [M78]Metropolitan Police Act 1856 shall cease to have effect—

(a) section 2 (appointment of Assistant Commissioners);
(b) section 6 (duties of Assistant Commissioners);
(c) section 7 (matters which may be done by the Commissioner or an Assistant Commissioner); and
(d) section 8 (powers of Assistant Commissioners in case of vacancy or illness of the Commissioner).

Marginal Citations

M78 1856 c. 2.

The Metropolitan Police (Receiver) Act 1861

3 The following provisions of the [M79]Metropolitan Police (Receiver) Act 1861 shall cease to have effect—

(a) section 1 (Receiver as corporation sole with power to hold stocks, shares etc);
(b) section 5 (power of Receiver to dispose of property etc); and
(c) section 9 (construction with previous Acts).

Commencement Information

I111 Sch. 27 para. 3 partly in force; Sch. 27 para. 3 not in force at Royal Assent see s. 425(2); Sch. 27 para. 3 in force for specified purposes at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.**

Marginal Citations

M79 1861 c. 124.

***Changes to legislation:** Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

The Metropolitan Police (Receiver) Act 1867

4 Section 1 of the [M80]Metropolitan Police (Receiver) Act 1867 (accounts) **[**[F277]shall have effect as if there were inserted, after "Metropolitan Police Act 1829", the words shall, as regards monies for police purposes, be made up to 2nd July 2000, and as regards monies for other purposes**]** .

Textual Amendments

F277 Words in Sch. 27 para. 4 substituted (30.3.2000) by S.I. 2000/801, **art. 3**

Marginal Citations

M80 1867 c. 39.

The Metropolitan Police Act 1886

5 The following provisions of the [M81]Metropolitan Police Act 1886 shall cease to have effect—

(a) section 2 (power of Receiver with respect to construction of buildings and purchase of land);

(b) section 4 (Receiver: purchase of land);

(c) section 6 (approval of Secretary of State for purchases and loans);

(d) section 7 (definition of "police receiver").

Commencement Information

I112 Sch. 27 para. 5 partly in force; Sch. 27 para. 5 not in force at Royal Assent see s. 425(2); Sch. 27 para. 5 in force for specified purposes at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.**

Marginal Citations

M81 1886 c. 22.

The Riot (Damages) Act 1886

[F278]6 . . . . . .

Textual Amendments

F278 Sch. 27 para. 6 omitted (6.4.2017) by virtue of Riot Compensation Act 2016 (c. 8), **ss. 10(3)(d)**, 12(1)(2); S.I. 2017/379, reg. 2

The Metropolitan Police Act 1887

7 The [M82]Metropolitan Police Act 1887 shall cease to have effect.

Commencement Information

I113 Sch. 27 para. 7 partly in force; Sch. 27 para. 7 not in force at Royal Assent see s. 425(2); Sch. 27 para. 7 in force for specified purposes at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.**

Changes to legislation: Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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

Marginal Citations
M82 1887 c. 45.

PROSPECTIVE

The Metropolitan Police (Receiver) Act 1895

8 The [M83]Metropolitan Police (Receiver) Act 1895 shall cease to have effect.

Marginal Citations
M83 1895 c. 12.

PROSPECTIVE

The Metropolitan Police Courts Act 1897

9 The [M84]Metropolitan Police Courts Act 1897 shall cease to have effect.

Marginal Citations
M84 1897 c. 26.

The Police (Property) Act 1897

10 (1) Section 2 of the [M85]Police Property Act 1897 (regulations with respect to unclaimed property in possession of the police) shall be amended as follows.

(2) In subsection (2B) (meaning of "the relevant authority")—

(a) in paragraph (a) (police areas in England and Wales, other than the metropolitan police district) the words "listed in Schedule 1 to the Police Act 1996 or the City of London police area", and

(b) paragraph (b) (in relation to the metropolitan police district, the Receiver),

shall cease to have effect.

Marginal Citations
M85 1897 c. 30.

The Metropolitan Police Act 1899

11 Section 1 of the [M86]Metropolitan Police Act 1899 (which provides for the remuneration of the Commissioner of Police of the Metropolis) shall cease to have effect.

Changes to legislation: Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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

Commencement Information

I114 Sch. 27 para. 11 partly in force; Sch. 27 para. 11 not in force at Royal Assent see s. 425(2); Sch. 27 para. 11 in force for specified purposes at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.**

Marginal Citations

M86 1899 c. 26.

The Police Act 1909

12 In the [M87]Police Act 1909, section 1 (annual contribution towards expenses of metropolitan police force in respect of services rendered for imperial and national purposes) shall cease to have effect.

Marginal Citations

M87 1909 c. 40.

The Crown Lands Act 1936

13 (1) The [M88]Crown Lands Act 1936 shall be amended as follows.

(2) In section 1 (transfer of lands to Commissioners of Works) the proviso to subsection (4) (which relates to payment in respect of lands transferred to the Receiver and is of no further utility) shall cease to have effect.

(3) In section 3—

(a) in subsection (1) (power of Commissioners of Works to erect buildings for certain purposes) the words "or offices for the metropolitan police", and

(b) subsection (2) (power to transfer land and buildings to the Receiver),

shall cease to have effect.

Commencement Information

I115 Sch. 27 para. 13 partly in force; Sch. 27 para. 13 not in force at Royal Assent see s. 425(2); Sch. 27 para. 13 in force for specified purposes at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.**

Marginal Citations

M88 1936 c. 47.

PROSPECTIVE

The London Building Acts (Amendment) Act 1939

14 (1) Section 151 of the [M89]London Building Acts (Amendment) Act 1939 (Crown exemptions) shall be amended as follows.

(2) In subsection (1) (which specifies the exemptions) paragraph (bb) (the Receiver) shall cease to have effect.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M89 1939 c. xcvii.

The Local Government Act 1948

15 Section 121 of the [M90]Local Government Act 1948 (provisions as to precepts of metropolitan police) shall cease to have effect.

Marginal Citations
M90 1948 c. 26.

The Metropolitan Magistrates' Courts Act 1959

16 (1) The [M91]Metropolitan Magistrates' Courts Act 1959 shall be amended as follows.

(2) In section 4(2) (borrowing powers of Receiver), the words ", or of the metropolitan police force," shall cease to have effect.

Marginal Citations
M91 1959 c. 45.

The Local Government (Records) Act 1962

17 (1) The [M92]Local Government (Records) Act 1962 shall be amended as follows.

(2) In section 2 (acquisition and deposit of records) in subsection (6) (local authorities to which the section applies) after "section 3 of the [M93]Police Act 1996," there shall be inserted " the Metropolitan Police Authority, ".

(3) In section 8 (interpretation) in the definition of "local authority" after "section 3 of the [M94]Police Act 1996," there shall be inserted " the Metropolitan Police Authority, ".

Marginal Citations
M92 1962 c. 56.
M93 1996 c. 16.
M94 1996 c. 16.

PROSPECTIVE

The Administration of Justice Act 1964

18 In section 38(1) of the [M95]Administration of Justice Act 1964 (interpretation) the definition of "the Receiver" shall cease to have effect.

Changes to legislation: Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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

Marginal Citations
M95 1964 c. 42.

The Local Government Act 1966

PROSPECTIVE

19 (1) Section 11 of the [M96]Local Government Act 1966 (grants for expenditure due to ethnic minority population) shall be amended as follows.

(2) In subsection (2) (application to police authorities etc) after "section 3 of the [M97]Police Act 1996" there shall be inserted " , the Metropolitan Police Authority, ".

Marginal Citations
M96 1966 c. 42.
M97 1996 c. 16.

The Superannuation (Miscellaneous Provisions) Act 1967

20 (1) Section 15 of the [M98]Superannuation (Miscellaneous Provisions) Act 1967 (superannuation of metropolitan civil staffs) shall be amended as set out in sub-paragraphs (2) to (6) below.

(2) In subsection (1)(a) (definition of "member of the metropolitan civil staffs") for sub-paragraph (i) there shall be substituted—

"(i) who is employed by the Metropolitan Police Authority;".

(3) In subsection (2) (power of Secretary of State to grant certain pensions payable by the Receiver out of the Metropolitan Police Fund) for the words from the beginning to "in respect of members of the metropolitan civil staffs" in paragraph (b) there shall be substituted—

"(2) As from the day on which section 310 of the Greater London Authority Act 1999 comes into force, the Metropolitan Police Authority shall have power to grant pensions or other benefits to or in respect of persons who on that day are, or thereafter become, members of the metropolitan civil staffs.

(2A) The Metropolitan Police Authority may, to such extent and subject to such conditions as it thinks fit, authorise the exercise of the function of administering the grant of pensions and other benefits under this section by, or by employees of, any person.

(2B) Where a person is authorised under subsection (2A) above to exercise the function of administering the grant of pensions and other benefits under this section, anything done or omitted to be done by or in relation to him (or an employee of his) in, or in connection with, the exercise or purported exercise of the function shall be treated for all purposes as done or omitted to be done by the person who authorised him.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2C) Subsection (2B) above does not apply for the purposes of—

(a) any criminal proceedings against the authorised person (or any employee of his); or

(b) any contract between him and the person who authorised him, so far as relating to the function.

(2D) Unless the powers conferred by section 7 of the [M99]Superannuation Act 1972, section 50 of the Justices of the [M100]Peace Act 1997, paragraph 36 of Schedule 14 to the [M101]Access to Justice Act 1999 or Part XII of the Greater London Authority Act 1999 are exercised for the purpose of making provision with respect to the provision of pensions for or in respect of members of the metropolitan civil staffs, the civil service provisions shall have effect (subject to any regulations for the time being i force under subsection (3) of this section) for the purposes of the grant of pensions and other benefits under this section to or in respect of such a member".

(4) In subsection (3)(b) (power by regulations to adapt civil service provisions) for "(2)(b)" there shall be substituted " (2D) ".

(5) In subsection (6) (requirement to consult before making regulations) after "staffs" there shall be inserted " and with the Metropolitan Police Authority ".

(6) In subsection (7) (continuation of payment of pre-existing pension entitlements by Receiver), for the words from "continue" to the end there shall be substituted " be paid by the Metropolitan Police Authority ".

(7) Nothing in sub-paragraphs (2) to (5) above shall affect the application of section 15 of the [M102]Superannuation (Miscellaneous Provisions) Act 1967 in relation to any person falling within sub-paragraph (10) below.

(8) A pension or other benefit granted or continued to be paid to or in respect of a person by virtue of sub-paragraph (7) above shall be granted or paid by the Metropolitan Police Authority, and accordingly section 15(2)(a) of the Superannuation (Miscellaneous Provisions) Act 1967 shall not apply in relation to such a person.

(9) Section 15(2)(b) of the [M103]Superannuation (Miscellaneous Provisions) Act 1967 shall apply in relation to a person falling within sub-paragraph (10) below as if for the words from the beginning to "in respect of members of the metropolitan civil staffs" there were substituted—

"(b) unless the powers conferred by paragraph 36 of Schedule 14 to the [M104]Access to Justice Act 1999 or Part XII of the Greater London Authority Act 1999 are exercised for the purpose of making provision with respect to the provision of pensions for or in respect of members of the metropolitan civil staffs, the civil service provisions shall have effect (subject to any regulations for the time being in force under subsection (3) of this section) for the purposes of the grant of pensions and other benefits u der this section to or in respect of such a member".

(10) A person falls within this sub-paragraph if he ceased to be a member of the metropolitan civil staffs for the purposes of section 15 of the [M105]Superannuation

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(Miscellaneous Provisions) Act 1967 before the day on which section 310 of this Act comes into force.

Commencement Information

I116 Sch. 27 para. 20 wholly in force; Sch. 27 para. 20 not in force at Royal Assent see. s. 425(2); Sch. 27 para. 20 in force at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.** (subject to transitional provisions in Sch.)

Marginal Citations

M98 1967 c. 28.
M99 1972 c. 11.
M100 1997 c. 25.
M101 1999 c. 22.
M102 1967 c. 28.
M103 1967 c. 28.
M104 1999 c. 22.
M105 1967 c. 28.

The Leasehold Reform Act 1967

21 (1) Section 28 of the [M106]Leasehold Reform Act 1967 (retention or resumption of land required for public purposes) shall be amended as follows.

(2) In subsection (5) (bodies to which the section applies) in paragraph (a), after "section 3 of the [M107]Police Act 1996" there shall be inserted " and the Metropolitan Police Authority ".

Marginal Citations

M106 1967 c. 88.
M107 1996 c. 16.

The Firearms Act 1968

22 In section 57(4) of the [M108]Firearms Act 1968 (interpretation) in the definition of "civilian officer", paragraph (b) and the word "or" immediately preceding it shall cease to have effect.

Marginal Citations

M108 1968 c. 27.

The Local Government Grants (Social Need) Act 1969

23 (1) The [M109]Local Government Grants (Social Need) Act 1969 shall be amended as follows.

(2) In section 1 (provision for grants) in subsection (2) (meaning of "local authority" etc) after "section 3 of the [M110]Police Act 1996" there shall be inserted " , the Metropolitan Police Authority, ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M109 1969 c. 2.
M110 1996 c. 16.

The Pensions (Increase) Act 1971

24 (1) The [M111]Pensions (Increase) Act 1971 shall be amended as follows.

(2) In Schedule 6 (employments relevant to section 13(2) of that Act) in paragraph (c) (employment, otherwise than as a constable, under the Receiver etc) for "Receiver for the metropolitan police district" there shall be substituted " Metropolitan Police Authority ".

Marginal Citations
M111 1971 c. 56.

The Local Government Act 1972

Members' interests in contracts etc

25 In section 98 of the [M112]Local Government Act 1972 (members' interests in contracts: interpretation of sections 95 to 97) in subsection (1A) (extended meaning of local authority) after "section 3 of the [M113]Police Act 1996" there shall be inserted " and the Metropolitan Police Authority ".

Marginal Citations
M112 1972 c. 70.
M113 1996 c. 16.

Meetings and proceedings

26 In section 99 of the [M114]Local Government Act 1972 (which applies Schedule 12 of that Act to meetings and proceedings of certain bodies) after "section 3 of the Police Act 1996" there shall be inserted " , the Metropolitan Police Authority ".

Marginal Citations
M114 1972 c. 70.

Discharge of functions

27 In section 107 of the [M115]Local Government Act 1972 (application of sections 101 to 103, 105 and 106 of that Act to police authorities) in subsection (1)(a) the words "other than the Secretary of State" shall cease to have effect.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M115 1972 c. 70.

Miscellaneous powers of local authorities

28 (1) Section 146A of the [M116]Local Government Act 1972 (which applies certain provisions of Part VII of that Act to police authorities etc) shall be amended as follows.

[F279](2) . . . . . .

(3) In subsection (1A) (exceptions for police authorities) after "section 3 of the [M117]Police Act 1996" there shall be inserted " nor the Metropolitan Police Authority ".

(4) In subsection (1B) (modifications of sections 140A and 140C in their application to police authorities) after "section 3 of the [M118]Police Act 1996" there shall be inserted " or the Metropolitan Police Authority ".

(5) In subsection (1C) (special constable acting as such is not a voluntary assistant) after "section 3 of the [M119]Police Act 1996" there shall be inserted " or the Metropolitan Police Authority ".

Textual Amendments
F279 Sch. 27 para. 28(2) repealed (1.4.2002) by 2001 c. 16, s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2002/344, **art. 3(j)(m)** (with transitional provision in art. 4)

Marginal Citations
M116 1972 c. 70.
M117 1996 c. 16.
M118 1996 c. 16.
M119 1996 c. 16.

Appearance in legal proceedings

[F280]29 . . . . . .

Textual Amendments
F280 Sch. 27 para. 29 repealed (1.4.2002) by 2001 c. 16, s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2002/344, **art. 3(j)(m)** (with transitional provision in art. 4)

Inspection of documents

30 In section 228 of the [M120]Local Government Act 1972 (inspection of documents) in subsection (7A) (application to minutes and accounts of police authorities) after "section 3 of the [M121]Police Act 1996" there shall be inserted " or the Metropolitan Police Authority ".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M120 1972 c. 70.
M121 1996 c. 16.

Photographic copies of documents

31 In section 229 of the [M122]Local Government Act 1972 (photographic copies of documents) in subsection (8) (extended meaning of "local authority") after "section 3 of the Police Act 1996" there shall be inserted " and the Metropolitan Police Authority ".

Marginal Citations
M122 1972 c. 70.

Services of notices on local authorities

32 In section 231 of the [M123]Local Government Act 1972 (services of notices on local authorities) in subsection (4) (extended meaning of "local authority") after "section 3 of the Police Act 1996" there shall be inserted " and the Metropolitan Police Authority ".

Marginal Citations
M123 1972 c. 70.

Public notices

33 In section 232 of the [M124]Local Government Act 1972 (public notices) in subsection (1A) (extended meaning of "local authority") after "section 3 of the [M125]Police Act 1996" there shall be inserted " and the Metropolitan Police Authority ".

Marginal Citations
M124 1972 c. 70.
M125 1996 c. 16.

Service of notices by local authorities

34 In section 233 of the [M126]Local Government Act 1972 (service of notices by local authorities) in subsection (11) (extended meaning of "local authority") after "section 3 of the [M127]Police Act 1996" there shall be inserted " and the Metropolitan Police Authority ".

Changes to legislation: Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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

Marginal Citations
M126 1972 c. 70.
M127 1996 c. 16.

Authentication of documents

35 In section 234 of the [M128]Local Government Act 1972 (authentication of documents) in subsection (4) (extended meaning of "local authority") after "section 3 of the [M129]Police Act 1996" there shall be inserted " and the Metropolitan Police Authority ".

Marginal Citations
M128 1972 c. 70.
M129 1996 c. 16.

Meetings and proceedings

36 (1) Schedule 12 to the [M130]Local Government Act 1972 (meetings and proceedings of local authorities) shall be amended as follows.

(2) In paragraph 6A (application of paragraph 1 to police authorities etc) in sub-paragraph (1) after "section 3 of the [M131]Police Act 1996" there shall be inserted " or the Metropolitan Police Authority ".

(3) In paragraph 6B (application of rest of Part I to police authorities etc) in paragraph (b), after "section 3 of the [M132]Police Act 1996" there shall be inserted " and the Metropolitan Police Authority ".

(4) In paragraph 46 (extended meaning of "local authority") after "section 3 of the [M133]Police Act 1996" there shall be inserted " and the Metropolitan Police Authority ".

Marginal Citations
M130 1972 c. 70.
M131 1996 c. 16.
M132 1996 c. 16.
M133 1996 c. 16.

The Employment Agencies Act 1973

37 In section 13(7) of the [M134]Employment Agencies Act 1973 (cases in which the Act is not to apply) after paragraph (f) there shall be inserted—

"(fa) the exercise by the Metropolitan Police Authority of any of its functions;".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations

M134 1973 c. 35.

The Local Government Act 1974

[F281]38 . . . . . .

Textual Amendments

F281 Sch. 27 para. 38 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 10** Group 2

The House of Commons Disqualification Act 1975

39 (1) The [M135]House of Commons Disqualification Act 1975 shall be amended as follows.

(2) In Schedule 1, in Part III (other disqualifying offices) the entries relating to the following offices—

(a) Commissioner or Assistant Commissioner of Police of the Metropolis,

(b) officer or servant employed under the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District, and

(c) Receiver for the Metropolitan Police District,

shall cease to have effect.

Commencement Information

I117 Sch. 27 para. 39 partly in force; Sch. 27 para. 39 not in force at Royal Assent see s. 425(2); Sch. 27 para. 39(1)(2)(a)(b) in force at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.**

Marginal Citations

M135 1975 c. 24.

The Northern Ireland Assembly Disqualification Act 1975

40 (1) The [M136]Northern Ireland Assembly Disqualification Act 1975 shall be amended as follows.

(2) In Schedule 1, in Part III (other disqualifying offices) the entries relating to the following offices—

(a) Commissioner or Assistant Commissioner of Police of the Metropolis,

(b) officer or servant employed under the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District, and

(c) Receiver for the Metropolitan Police District,

shall cease to have effect.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I118 Sch. 27 para. 40 partly in force; Sch. 27 para. 40 not in force at Royal Assent see s. 425(2); Sch. 27 para. 40(1)(2(a)(b) in force at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.**

Marginal Citations

M136 1975 c. 25.

The Local Government (Miscellaneous Provisions) Act 1976

41 (1) Part I of the [M137]Local Government (Miscellaneous Provisions) Act 1976 (general) shall be amended as follows.

(2) In section 44(1), in the definition of "local authority", in paragraph (a) (extended meaning in certain provisions) after "section 3 of the [M138]Police Act 1996," there shall be inserted " the Metropolitan Police Authority, ".

Marginal Citations

M137 1976 c. 57.
M138 1996 c. 16.

The Local Government, Planning and Land Act 1980

Direct labour organisations

42 (1) Section 20 of the [M139]Local Government, Planning and Land Act 1980 (interpretation of provisions relating to direct labour organisations) shall be amended as follows.

(2) In subsection (1), in paragraph (a) of the definition of "local authority", in sub-paragraph (i), after "section 3 of the Police Act 1996," there shall be inserted " the Metropolitan Police Authority, ".

Marginal Citations

M139 1980 c. 65.

Rate support grants

[F282]43 . . . . . .

Textual Amendments

F282 Sch. 27 para. 43 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 10** Group 2

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Disposal of land held by public bodies

44 (1) In section 99 of the [M140]Local Government, Planning and Land Act 1980 (directions to dispose of land — supplementary) in subsection (4), after paragraph (dc) there shall be inserted—

"(dcc) the Metropolitan Police Authority;".

(2) In Schedule 16 to the [M141]Local Government, Planning and Land Act 1980 (bodies to whom provisions of Part X relating to registration of land apply) after paragraph 5C there shall be inserted—

"5CC The Metropolitan Police Authority."

Marginal Citations
M140 1980 c. 65.
M141 1980 c. 65.

The Local Government (Miscellaneous Provisions) Act 1982

45 (1) The [M142]Local Government (Miscellaneous Provisions) Act 1982 shall be amended as follows.

(2) In section 33 (enforceability by local authorities of certain covenants relating to land) in subsection (9)(a), after "section 3 of the [M143]Police Act 1996," there shall be inserted " the Metropolitan Police Authority, ".

(3) In section 41 (lost and uncollected property) in subsection (13) in the definition of "local authority", after paragraph (ca) there shall be inserted—

"(caa) the Metropolitan Police Authority; and".

Marginal Citations
M142 1982 c. 30.
M143 1996 c. 16.

The Aviation Security Act 1982

46 (1) The [M144]Aviation Security Act 1982 shall be amended as follows.

(2) In section 26 (exercise of police functions at designated airports), subsection (4) (which makes provision for the application of the section in the case of the metropolitan police district) shall cease to have effect.

(3) In section 29(2) (entitlement of traffic wardens to exercise functions at designated airports) in paragraph (a) the words from "(or," to "metropolis)" shall cease to have effect.

(4) In section 30(3) (transfers of officers and staff) in paragraph (c) the words from "or, if that area is the metropolitan" onwards shall cease to have effect.

(5) In section 31(1) (interpretation) the definition of "members of the metropolitan civil staffs" shall cease to have effect.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M144 1982 c. 36.

The Insurance Companies Act 1982

47 (1) The [M145]Insurance Companies Act 1982 shall be amended as follows.

(2) In Part I of Schedule 2 (classes of general business), in entry number 1, in the third column, the words "or section 2 of the Police (Insurance of Voluntary Assistants) Act 1997" shall cease to have effect.

Marginal Citations
M145 1982 c. 50.

The Road Traffic Regulation Act 1984

48 (1) Section 97 of the [M146]Road Traffic Regulation Act 1984 (supplementary provisions as to traffic wardens) shall be amended as follows.

(2) In subsection (1) (application of regulations) the words "employed outside the metropolitan police district" shall cease to have effect.

(3) Subsection (4) (wardens in the metropolitan police district) shall cease to have effect.

Marginal Citations
M146 1984 c. 27.

The County Courts Act 1984

49 In section 60 of the [M147]County Courts Act 1984 (right of audience for officer of local authority in proceedings brought by authority) in subsection (3), in the definition of "local authority", after "section 3 of the [M148]Police Act 1996," there shall be inserted " the Metropolitan Police Authority, ".

Marginal Citations
M147 1984 c. 28.
M148 1996 c. 16.

The Rates Act 1984

50 In section 1 of the [M149]Rates Act 1984 (power to prescribe maximum rates and precepts) in subsection (4)(a), the words "or by the Receiver for the Metropolitan Police District" shall cease to have effect.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M149 1984 c. 33.

The Housing Act 1985

[F283]51 . . . . . .

Textual Amendments
F283 Sch. 27 para. 51 repealed (24.7.2002) by 2002 c. 30, ss. 107, 108(3), **Sch. 8**

The Housing Associations Act 1985

52 In section 106 of the [M150]Housing Associations Act 1985 (minor definitions) in subsection (1), in the definition of "local authority", after "section 3 of the [M151]Police Act 1996" there shall be inserted " , the Metropolitan Police Authority ".

Marginal Citations
M150 1985 c. 69.
M151 1996 c. 16.

The Landlord and Tenant Act 1985

53 In section 38 of the [M152]Landlord and Tenant Act 1985 (minor definitions) in the definition of "local authority", after "section 3 of the [M153]Police Act 1996," there shall be inserted " the Metropolitan Police Authority, ".

Marginal Citations
M152 1985 c. 70.
M153 1996 c. 16.

The Local Government Act 1986

Publicity etc

54 In section 6 of the [M154]Local Government Act 1986 (interpretation of provisions relating to publicity and promotion of homosexuality) in subsection (2)(a), after "section 3 of the [M155]Police Act 1996," there shall be inserted—

"the Metropolitan Police Authority,".

Marginal Citations
M154 1986 c. 10.

Changes to legislation: Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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

M155 1996 c. 16.

Transfer of local authority mortgages

55 In section 9 of the [M156]Local Government Act 1986 (interpretation of provisions relating to the transfer of mortgages) in subsection (1)(a), after "section 3 of the [M157]Police Act 1996," there shall be inserted—

"the Metropolitan Police Authority,".

Marginal Citations
M156 1986 c. 10.
M157 1996 c. 16.

The Local Government Act 1988

Competition

56 In section 1 of the [M158]Local Government Act 1988 (defined authorities for provisions on competition) in subsection (1), after paragraph (e) there shall be inserted—

"(eza) the Metropolitan Police Authority,".

Marginal Citations
M158 1988 c. 9.

Public supply or works contracts

57 In Schedule 2 to the [M159]Local Government Act 1988 (which specifies the public authorities to which section 17 of that Act applies) after the entry relating to police authorities established under section 3 of the [M160]Police Act 1996 there shall be inserted—

"The Metropolitan Police Authority."

Marginal Citations
M159 1988 c. 9.
M160 1996 c. 16.

The Local Government Finance Act 1988

58 In section 126 of the [M161]Local Government Finance Act 1988 (variation of multipliers in supplementary reports) subsection (5) (which relates to the Receiver) shall cease to have effect.

Changes to legislation: Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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

Marginal Citations
M161 1988 c. 41.

The Housing Act 1988

[F284]59 . . . . . .

Textual Amendments
F284 Sch. 27 para. 59 repealed (24.7.2002) by 2002 c. 30, ss. 107, 108(3), **Sch. 8**

The Road Traffic Act 1988

Police driving instructors

60 In section 124 of the [M162]Road Traffic Act 1988 (exemption of police instructors from prohibition imposed by section 123 of that Act) subsection (3) (modifications of subsection (2) in its application in relation to the metropolitan police force) shall cease to have effect.

Marginal Citations
M162 1988 c. 52.

Exceptions from requirement of third party insurance or security

PROSPECTIVE

61 In section 144 of the [M163]Road Traffic Act 1988 (exceptions from requirement of third party insurance or security) in subsection (2)(b) (exception for vehicles owned by police authority etc)—

(a) the words "or the Receiver for the Metropolitan Police District", and

(b) the words "or employed by the Receiver",

shall cease to have effect.

Marginal Citations
M163 1988 c. 52.

The Local Government and Housing Act 1989

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Monitoring officers

62 In section 5 of the [M164]Local Government and Housing Act 1989 (designation and reports of monitoring officer) in subsection (1) (duty to designate officer as monitoring officer) after "Police Act 1996" there shall be inserted " or the Metropolitan Police Authority ".

Commencement Information

I119 Sch. 27 para. 62 wholly in force at 3.7.2000; Sch. 27 para. 62 not in force at Royal Assent, see s. 425(2); Sch. 27 para. 62 in force for specified purposes on "the operative date" (as defined in S.I. 2000/1095, **art. 1**) and for all other purposes at 3.7.2000 by S.I. 2000/1095, **art. 4(2)(c)**, 5, 6

Marginal Citations

M164 1989 c. 42.

Members, officers, staff, committees etc

[F285]63 . . . . . .

Textual Amendments

F285 Sch. 27 para. 63 repealed (1.4.2002) by 2001 c. 16, s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2002/344, **art. 3(j)(m)** (with transitional provision in art. 4)

Financial provisions

64 In section 157 of the [M165]Local Government and Housing Act 1989 (commutation of payments to local authorities) in subsection (6) (meaning of "local authority") for paragraph (f) there shall be substituted—

"(f) the Metropolitan Police Authority;".

Commencement Information

I120 Sch. 27 para. 64 partly in force; Sch. 27 para. 64 not in force at Royal Assent see s. 425(2); Sch. 27 para. 64 in force for specified purposes at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.**

Marginal Citations

M165 1989 c. 42.

The Town and Country Planning Act 1990

Orders relating to highways

65 In section 252 of the [M166]Town and Country Planning Act 1990 (procedure for making of orders relating to highways) in subsection (12), in the definition of "local authority", after "section 3 of the [M167]Police Act 1996," there shall be inserted " the Metropolitan Police Authority, ".

Changes to legislation: Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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

Marginal Citations
M166 1990 c. 8.
M167 1996 c. 16.

General interpretation of "local authority"

66 In section 336(1) of the [M168]Town and Country Planning Act 1990 (general interpretation) in paragraph (a) of the definition of "local authority"—

(a) the words "(except the Receiver for the Metropolitan Police District)" shall cease to have effect; and

(b) at the end there shall be inserted " or the Metropolitan Police Authority ".

Commencement Information
I121 Sch. 27 para. 66 partly in force; Sch. 27 para. 66 not in force at Royal Assent see s. 425(2); Sch. 27 para. 66(b) in force at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.** (subject to transitional provision in Sch.)

Marginal Citations
M168 1990 c. 8.

The War Crimes Act 1991

67 In section 2 of the [M169]War Crimes Act 1991 (expenses) in subsection (2)(a) (expenditure by Receiver on investigations by metropolitan police) for "Receiver for the Metropolitan Police District" there shall be substituted " Metropolitan Police Authority ".

Marginal Citations
M169 1991 c. 13.

PROSPECTIVE

The Value Added Tax Act 1994

68 In section 33 of the [M170]Value Added Tax Act 1994 (refunds of VAT in certain cases) in subsection (3) (which specifies the bodies to which the section applies) in paragraph (f), the words "and the Receiver for the Metropolitan Police District" shall cease to have effect.

Marginal Citations
M170 1994 c. 23.

The Police Act 1996

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Police areas

69 In section 1 of the [M171]Police Act 1996 (police areas) in subsection (3) (references to local government areas) the words "but excluding any part of it within the metropolitan police district" shall cease to have effect.

Marginal Citations

M171 1996 c. 16.

Local policing objectives

[F286]70 . . . . . .

Textual Amendments

F286 Sch. 27 para. 70 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, art. 3(s)(ii) (with art. 7)

Local policing plans

[F287]71 . . . . . .

Textual Amendments

F287 Sch. 27 para. 71 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, art. 3(s)(ii) (with art. 7)

Annual report

[F288]72 . . . . . .

Textual Amendments

F288 Sch. 27 para. 72 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, art. 3(s)(ii) (with art. 7)

Police fund

73 In section 14 of the [M172]Police Act 1996 (requirement that each police authority keep a police fund) after subsection (3) there shall be inserted—

"(4) This section shall apply in relation to the Metropolitan Police Authority as it applies in relation to a police authority established under section 3."

Marginal Citations

M172 1996 c. 16.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Civilian employees

74 (1) Section 15 of the [M173]Police Act 1996 (employment of civilian employees by police authorities established under section 3) shall be amended as follows.

(2) In subsection (2) (persons so employed to be under control of chief constable) for "chief constable" there shall be substituted " chief officer of police ".

(3) In subsection (3) (disapplication of subsection (2) in case of agreement between chief constable and authority etc) for "chief constable" there shall be substituted " chief officer ".

(4) After subsection (4) there shall be inserted—

"(5) This section shall apply in relation to the Metropolitan Police Authority as it applies in relation to a police authority established under section 3."

Marginal Citations

M173 1996 c. 16.

Appointment of clerk

75 (1) Section 16 of the [M174]Police Act 1996 (appointment of clerk by each police authority) shall be amended as follows.

(2) At the beginning there shall be inserted " (1) ".

(3) After the subsection (1) so formed, there shall be inserted the following subsection—

"(2) The Metropolitan Police Authority shall appoint a person to be the clerk to the Metropolitan Police Authority."

Commencement Information

I122 Sch. 27 para. 75 wholly in force at 3.7.2000; Sch. 27 para. 75 not in force at Royal Asent, see s. 425(2); Sch. 27 para. 75 in force for specified purposes on "the operative date" (as defined in S.I. 2000/1095, **art. 1**) and for all other purposes at 3.7.2000 by S.I. 2000/1095, **art. 4(2)(c)**, 5, 6

Marginal Citations

M174 1996 c. 16.

Appointment of persons not employed by police authorities

76 (1) Section 17 of the [M175]Police Act 1996 (appointment of persons not employed by police authorities) shall be amended as follows.

(2) At the beginning there shall be inserted " (1) ".

(3) After the subsection (1) so formed, there shall be inserted the following subsection—

"(2) This section shall apply to the Metropolitan Police Authority as it applies to a police authority established under section 3."

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I123 Sch 27 para. 76 wholly in force at 3.7.2000; Sch. 27 para. 76 not in force at Royal Assent, see s. 425(2); Sch. 27 para. 76 in force for specified purposes on "the operative date" (as defined in S.I. 2000/1095, **art. 1**) and for all other purposes at 3.7.2000 by S.I. 2000/1095, **art. 4(2)(c)**, 5, 6

Marginal Citations

M175 1996 c. 16.

Supply of goods and services

77 In section 18 of the [M176]Police Act 1996 (application of certain provisions of the [M177]Local Authorities (Goods and Services) Act 1970 to police authorities established under section 3) after "section 3" there shall be inserted " and to the Metropolitan Police Authority ".

Marginal Citations

M176 1996 c. 16.
M177 1970 c. 39.

Questions to the Metropolitan Police Authority

78 In subsection (1) of section 20 of the [M178]Police Act 1996 (questioning of members of police authorities at council meetings) after "police authority" there shall be inserted " established under section 3 " and after that section there shall be inserted—

"**20A Questions on metropolitan police matters at London Assembly meetings.**

(1) The London Assembly shall make arrangements (whether by standing orders or otherwise) for enabling questions on the discharge of the functions of the Metropolitan Police Authority to be put by members of the Assembly at a meeting of the Assembly for answer by a person nominated by the Metropolitan Police Authority for that purpose.

(2) On being given reasonable notice by the London Assembly of a meeting of the Assembly at which questions on the discharge of the Metropolitan Police Authority's functions are to be put, the Metropolitan Police Authority shall nominate one or more of its members to attend the meeting to answer those questions."

Marginal Citations

M178 1996 c. 16.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Report by the Commissioner of Police of the Metropolis

79 (1) Section 22 of the [M179]Police Act 1996 (reports by chief constables etc to police authorities) shall be amended as follows.

(2) In subsection (1), for "chief constable" there shall be substituted " chief officer of police of a police force ".

(3) In subsection (2), for "chief constable" there shall be substituted " chief officer ".

(4) In subsection (3), for "chief constable" there shall be substituted " chief officer of police ".

(5) In subsections (5) and (6), for "chief constable" there shall be substituted " chief officer ".

(6) Subsection (7) (which applies the section to the City of London police force and which becomes unnecessary in consequence of the amendments made by the preceding provisions of this paragraph) shall be omitted.

Marginal Citations
M179 1996 c. 16.

Special police services

80 In section 25 of the [M180]Police Act 1996 (provision of special police services, subject to payment to police authorities) subsection (2) (which modifies the section in its application to the metropolitan police force) shall cease to have effect.

Marginal Citations
M180 1996 c. 16.

Advice and assistance to international organisations

81 In section 26 of the [M181]Police Act 1996 (provision by police authorities of advice and assistance to international organisations) subsection (7) (which modifies the section in its application to the metropolitan police force) shall cease to have effect.

Marginal Citations
M181 1996 c. 16.

Police cadets

82 In section 28 of the [M182]Police Act 1996 (appointment of police cadets) subsection (4) (which modifies the section in its application to the metropolitan police force) shall cease to have effect.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M182 1996 c. 16.

Attestation of constable

83 In section 29 of the [M183]Police Act 1996 (attestation of constables)—

(a) paragraph (a) (attestation before Commissioner or Assistant Commissioner in case of member of metropolitan police force etc), and

(b) in paragraph (b) (any other case) the words "in any other case,",

shall cease to have effect.

Marginal Citations
M183 1996 c. 16.

Alteration of police areas

84 (1) Section 32 of the [M184]Police Act 1996 (power of Secretary of State to make alterations in police areas by order) shall be amended as follows.

(2) In subsection (3)(a) (which restricts the power of the Secretary of State to make alterations unless he has received a request from the police authorities whose areas are affected) the words "(other than the metropolitan police district)" shall cease to have effect.

(3) Subsection (5) (which disapplies subsection (4) to the extent that it prevents the Secretary of State making an order maintaining the boundary of the metropolitan police district as it existed immediately before 1st April 1995) shall cease to have effect.

Commencement Information
I124 Sch. 27 para. 84 wholly in force at 3.7.2000; Sch. 27 para. 84 not in force at Royal Assent see s. 425(2); Sch. 27 para. 84(1)(3) in force at 1.4.2000 by S.I. 1999/3271, **art. 4(c)**; Sch. 27 para. 84 in force (3.7.2000) in so far as not already in force by S.I. 2000/1648, art. 2, **Sch.**

Marginal Citations
M184 1996 c. 16.

Objections to proposed alterations in police areas

85 (1) Section 33 of the [M185]Police Act 1996 (objections to alterations in police areas proposed by the Secretary of State) shall be amended as follows.

(2) In subsection (1)(a) the words "(other than the metropolitan police district)" shall cease to have effect.

(3) In subsection (1), after paragraph (b) there shall be inserted—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

"(bb) the Greater London Authority, if he proposes to alter the metropolitan police district,".

Marginal Citations
M185 1996 c. 16.

Objectives for police authorities

[F289]86 . . . . . .

Textual Amendments
F289 Sch. 27 para. 86 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, art. 3(s)(ii) (with art. 7)

Setting of performance targets

87 In section 38 of the [M186]Police Act 1996 (setting of performance targets for police authorities by the Secretary of State) in subsection (2), for "established under section 3" there shall be substituted " to which section 37 applies ".

Marginal Citations
M186 1996 c. 16.

Codes of practice

88 In section 39(1) of the [M187]Police Act 1996 (issuing of codes of practice by the Secretary of State relating to the discharge of functions by police authorities established under section 3) after "section 3" there shall be inserted " and the Metropolitan Police Authority ".

Marginal Citations
M187 1996 c. 16.

Power of Secretary of State to require inspection

89 In section 40(1) of the [M188]Police Act 1996 (power of Secretary of State to require an inspection of a police force maintained under section 2) after "police force maintained under section 2" there shall be inserted " or of the metropolitan police force ".

Marginal Citations
M188 1996 c. 16.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Removal of Commissioners or Commanders

[F290]90 . . . . . .

Textual Amendments

F290 Sch. 27 para. 90 repealed (23.12.2004) by Police Reform Act 2002 (c. 30), s. 108(2), **Sch. 8**; S.I. 2004/3338, art. 3(c)(v)

Reports from the Commissioner of Police of the Metropolis

91 (1) Section 44 of the [M189]Police Act 1996 (power of Secretary of State to require chief constable to submit a report) shall be amended as follows.

(2) In subsection (1), for the words "chief constable" and "chief constable's" there shall be substituted respectively " chief officer of police of any police force " and " chief officer's ".

(3) In subsection (3), for "chief constable" there shall be substituted " chief officer ".

(4) In subsection (4), for "Every chief constable" there shall be substituted " The chief officer of police of every police force ".

(5) Subsection (5) (which applies the section to the City of London police force and which becomes unnecessary in consequence of the amendments made by the preceding provisions of this paragraph) shall be omitted.

Marginal Citations

M189 1996 c. 16.

Grants by the Secretary of State

92 (1) Section 46 of the [M190]Police Act 1996 (duty of Secretary of State to make grants for police purposes) shall be amended as follows.

[F291](2) . . . . . .

(3) In subsection (1), in the words following paragraph (b), for "Receiver" there shall be substituted " Greater London Authority ".

(4) After subsection (7) there shall be inserted—

"(7A) Where the Greater London Authority receives a grant under this section, it shall forthwith account for the grant to the Metropolitan Police Authority and pay it over to that Authority."

(5) After subsection (8) (repayment where police authority's grant is less than that paid to it for the year) there shall be inserted—

"(9) Where the Greater London Authority is required to pay a sum under subsection (8) above, the Mayor of London may direct the Metropolitan Police Authority to pay an amount not exceeding that sum to the Greater London Authority on such day as he may specify in the direction."

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F291 Sch. 27 para. 92(2) repealed (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), s. 185(1), **Sch. 11 para. 102** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(k)(i)

Marginal Citations

M190 1996 c. 16.

Grants for capital expenditure

93 (1) Section 47 of the [M191]Police Act 1996 (power of the Secretary of State to make grants in respect of capital expenditure incurred for police purposes) shall be amended as follows.

(2) In subsection (1)(b), for "Receiver for the Metropolitan Police District" there shall be substituted " Metropolitan Police Authority ".

(3) After subsection (3) there shall be inserted—

"(4) Any grant by virtue of subsection (1)(b) shall be paid to the Greater London Authority.

(5) Where the Greater London Authority receives a grant under this section, it shall forthwith account for the grant to the Metropolitan Police Authority and pay it over to that Authority."

Marginal Citations

M191 1996 c. 16.

Grants for expenditure concerning safeguarding national security

94 (1) Section 48 of the [M192]Police Act 1996 (power of Secretary of State to make grants in respect of expenditure in connection with safeguarding national security) shall be amended as follows.

(2) In subsection (1)(b), for "Receiver for the Metropolitan Police District" there shall be substituted " Metropolitan Police Authority ".

(3) After subsection (3) there shall be inserted—

"(4) Any grant by virtue of subsection (1)(b) shall be paid to the Greater London Authority.

(5) Where the Greater London Authority receives a grant under this section, it shall forthwith account for the grant to the Metropolitan Police Authority and pay it over to that Authority."

Marginal Citations

M192 1996 c. 16.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Disciplinary proceedings relating to senior officers

95 In section 50(3)(b) of the [M193]Police Act 1996 (regulations about disciplinary procedures involving senior members of police forces) for sub-paragraphs (i) and (ii) there shall be substituted the words " by the police authority which maintains the force or by a committee of that authority. "

Marginal Citations
M193 1996 c. 16.

Copies of reports

96 In section 55 of the [M194]Police Act 1996 (Secretary of State to arrange for publication and copies of reports by inspectors of constabulary) in subsections (3)(a) and (6), the words "(except where he is himself the police authority)" shall cease to have effect.

Marginal Citations
M194 1996 c. 16.

The appropriate authority for complaints etc about metropolitan police

[F292]97 . . . . . .

Textual Amendments
F292 Sch. 27 paras. 97-99 repealed (1.4.2004) by Police Reform Act 2002 (c. 30), s. 108(2), **Sch. 8**; S.I. 2004/913, art. 2(f)(viii)

Investigation of complaints

[F292]98 . . . . . .

Textual Amendments
F292 Sch. 27 paras. 97-99 repealed (1.4.2004) by Police Reform Act 2002 (c. 30), s. 108(2), **Sch. 8**; S.I. 2004/913, art. 2(f)(viii)

Supervision of investigations by Police Complaints Authority

[F292]99 . . . . . .

Textual Amendments
F292 Sch. 27 paras. 97-99 repealed (1.4.2004) by Police Reform Act 2002 (c. 30), s. 108(2), **Sch. 8**; S.I. 2004/913, art. 2(f)(viii)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Grants by local authorities

100 In section 92 of the [M195]Police Act 1996 (grants by local authorities) in subsection (2) (grants for police purposes to the Receiver) for "Receiver for the Metropolitan Police District" there shall be substituted " Metropolitan Police Authority "

Marginal Citations
M195 1996 c. 16.

Acceptance of gifts and loans

101 In section 93 of the [M196]Police Act 1996 (acceptance of gifts and loans) subsection (3) (which modifies the section in its application to the metropolitan police force) shall cease to have effect.

Marginal Citations
M196 1996 c. 16.

Metropolitan police fund etc

102 (1) Section 95 of the [M197]Police Act 1996 (which provides for expenditure on special constables and police cadets to be paid out of the metropolitan police fund and which, so far as relating to that fund, is unnecessary in view of the amendment made to section 14) shall be amended as follows.

(2) The following words shall cease to have effect—
(a) "the metropolitan police fund and";
(b) "respectively (subject, in the case of the metropolitan police fund, to the approval of the Secretary of State)";
(c) in paragraph (a), "the metropolitan police district or"; and
(d) in paragraph (b), "the metropolitan police force or".

(3) The sidenote to the section accordingly becomes "The City of London police fund."

Marginal Citations
M197 1996 c. 16.

Obtaining community views on policing

103 (1) Section 96 of the [M198]Police Act 1996 (arrangements to be made for each police area for obtaining the views of the community about policing) shall be amended as follows.

(2) In subsection (2)—
(a) for "subsections (3) to (6)" there shall be substituted " subsection (6) "; and

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) after "chief constable" there shall be inserted " or, in the case of the metropolitan police district, the Commissioner of Police of the Metropolis, ".

(3) Subsections (3) to (5) (which make provision about consultation about arrangements for the metropolitan police district) shall cease to have effect.

Marginal Citations
M198 1996 c. 16.

National and international functions of metropolitan police

104 After section 96 of the [M199]Police Act 1996 there shall be inserted—

"**96A National and international functions of the metropolitan police.**

(1) The Secretary of State and the Metropolitan Police Authority may enter into agreements with respect to the level of performance to be achieved by the metropolitan police force in respect of any of its national or international functions.

(2) If the Secretary of State is of the opinion that the metropolitan police force is not performing any or all of its national or international functions—

(a) to the standard specified in any agreement in force under subsection (1), or

(b) if no agreement is in force under that subsection in relation to the function or functions in question, to a standard which the Secretary of State considers to be satisfactory,

he may direct the Metropolitan Police Authority to take such measures as may be specified in the direction.

(3) The Metropolitan Police Authority shall comply with any directions given under subsection (2).

(4) For the purposes of this section "national or international functions" means functions relating to—

(a) the protection of prominent persons or their residences,

(b) national security,

(c) counter-terrorism, or

(d) the provision of services for any other national or international purpose.

96B National and international functions: application of requirements relating to reports etc.

(1) In its application to the Metropolitan Police Authority, section 6 shall have effect as if the reference in subsection (1) to securing the maintenance of an efficient and effective police force for the metropolitan police district included a reference to securing that that force discharges its national or international functions efficiently and effectively.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) In its application to the Metropolitan Police Authority, section 7(1) shall have effect as if the reference to the policing of the metropolitan police district included a reference to the discharge by the metropolitan police force of its national or international functions.

(3) In its application to the Metropolitan Police Authority, section 8 shall have effect as if—

(a) the reference in subsection (1) to the policing of the metropolitan police district included a reference to the discharge by the metropolitan police force of its national or international functions, and

(b) the reference in subsection (2)(c) to any performance targets established by the Authority excluded any standards of performance established by it in pursuance of an agreement under subsection (1) of section 96A or a direction under subsection (2) of that section.

(4) In its application to the Metropolitan Police Authority, section 9(1) shall have effect as if the reference to the policing of the metropolitan police district included a reference to the discharge by the metropolitan police force of its national or international functions.

(5) In their application to the metropolitan police force, sections 22 and 44 shall have effect as if references to policing the metropolitan police district included references to the discharge by the metropolitan police force of its national or international functions.

(6) Section 95(1) and (3) of the Greater London Authority Act 1999 (minimum budget for Metropolitan Police Authority) shall have effect as if the references to restoring or maintaining an efficient and effective police force for the metropolitan police district included references to securing that that force discharges its national or international functions efficiently and effectively.

(7) Subsection (4) of section 96A shall apply for the purposes of this section as it applies for the purposes of that section."

Marginal Citations

M199 1996 c. 16.

Schedule 2

[F293]105 . . . . . .

Textual Amendments

F293 Sch. 27 para. 105 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, art. 3(s)(ii) (with art. 7)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Schedule 3

[F294]106 . . . . . .

Textual Amendments

F294 Sch. 27 para. 106 repealed (1.4.2007) by Police and Justice Act 2006 (c. 48), s. 53(1), **Sch. 15 Pt. 1(B)**; S.I. 2007/709, art. 3(s)(ii) (with art. 7)

Schedule 6

107 (1) Schedule 6 to the [M200]Police Act 1996 (appeals to police appeals tribunals) shall be amended as follows.

(2) In paragraph 2 (membership of panel for officers who are not senior officers) in paragraph (1)(b) the words from "or" onwards (which relate to the case where the Secretary of State is the police authority) shall cease to have effect.

Marginal Citations

M200 1996 c. 16.

The Justices of the Peace Act 1997

[F295]108 . . . . . .

Textual Amendments

F295 Sch. 27 para. 108 repealed (1.4.2005) by Courts Act 2003 (c. 39), s. 110(1), **Sch. 10**; S.I. 2005/910, art. 3(aa)

The Police (Insurance of Voluntary Assistants) Act 1997

109 (1) The [M201]Police (Insurance of Voluntary Assistants) Act 1997 shall be amended as follows.

(2) Section 2 (which makes, in relation to the metropolitan police force and the Receiver, provision corresponding to that made by section 1 in relation to other police authorities and which, in consequence of this Act, is no longer necessary) shall cease to have effect.

Marginal Citations

M201 1997 c. 45.

The Police Act 1997

[F296]110 . . . . . .

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F296 Sch. 27 para. 110 repealed (1.8.2001) by 2001 c. 16, s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2001/2223, **art. 3(j)(l)(iii)**

[F297]111 . . . . . .

Textual Amendments

F297 Sch. 27 para. 111 repealed (1.8.2001) by 2001 c. 16, s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2001/2223, **art. 3(j)(l)(iii)**

112 In section 119 of the [M202]Police Act 1997 (sources of information) in subsection (3) (payment to appropriate police authority) the words "or, in the case of the metropolitan police force, the Receiver for the Metropolitan Police District," shall cease to have effect.

Marginal Citations

M202 1997 c. 50.

113 (1) Schedule 1 to the Police Act 1997 (appointment of members of the NCS and NCIS Service Authorities) shall be amended as follows.

(2) In paragraph 4 (appointment of core members by local authority members of police authorities)—

(a) at the beginning there shall be inserted " (1) ", and

(b) for "Three" there shall be substituted " Four ".

[F298](3) . . . . . .

(4) The following provisions—

(a) paragraph 5 (appointment by Secretary of State in his capacity as police authority for metropolitan police district),

(b) paragraph 8(4) (Secretary of State prohibited from appointing additional member of NCIS Service Authority to represent him in that capacity), and

(c) paragraph 10(4) (corresponding prohibition in respect of appointment of additional member of NCS Service Authority),

shall cease to have effect.

(5) In paragraph 14(a) (meaning of "local authority members of police authorities") for "to the Police Act 1996 (local authority members)" there shall be substituted " or paragraph 2 of Schedule 2A to the Police Act 1996 (local authority members and London Assembly members of the Metropolitan Police Authority) ".

(6) In paragraph 16 (which makes provision for the application of Schedule in the case of the Commissioner and Assistant Commissioners of Police of the Metropolis and the Commissioner of Police for the City of London) for the words from "the Commissioner and" onwards there shall be substituted " the Commissioner of Police for the City of London shall be treated as if he were a member of the City of London police force. "

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Textual Amendments

F298 Sch. 27 para. 133(3) repealed (1.4.2002) by 2001 c. 16, s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2002/344, **art. 3(j)(m)** (with transitional provision in art. 4)

[F299]114 . . . . . .

Textual Amendments

F299 Sch. 27 para. 110 repealed (1.8.2001) by 2001 c. 16, s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2001/2223, **art. 3(j)(l)(iii)**

[F300]115 . . . . . .

Textual Amendments

F300 Sch. 27 para. 115 repealed (1.8.2001) by 2001 c. 16, s. 137, **Sch. 7 Pt. 5(1)**; S.I. 2001/2223, **art. 3(j)(l)(iii)**

PROSPECTIVE

The Local Government (Contracts) Act 1997

116 In section 1(3) of the [M203]Local Government (Contracts) Act 1997 (local authorities for the purposes of the Act) at the end of paragraph (b) there shall be inserted " and " and paragraph (c) (the Receiver) shall cease to have effect.

Marginal Citations

M203 1997 c. 65.

[[F301]SCHEDULE 27A

Section 327A

THE LONDON FIRE COMMISSIONER

Textual Amendments

F301 Sch. 27A inserted (E.W.) (31.1.2017 for specified purposes, 1.3.2018 for the insertion of Sch. 27A paras. 1-3, 1.4.2018 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 15**; S.I. 2018/227, regs. 2(b)(iii), 4(c)

Appointment and tenure of office

1 (1) The terms and conditions on which the London Fire Commissioner is appointed are to be determined by the Mayor.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) A person holds and vacates office as the London Fire Commissioner in accordance with the terms and conditions of the person's appointment.

(3) Sub-paragraph (2) is subject to section 327C (suspension and removal of London Fire Commissioner).

Remuneration

2 (1) The person who is the London Fire Commissioner is to be paid such remuneration, allowances and gratuities as may be provided for under the terms and conditions of the Commissioner's appointment.

(2) In sub-paragraph (1) "allowances", in relation to the London Fire Commissioner, means allowances in respect of expenses incurred by the person in the performance of the Commissioner's functions.

(3) There is to be paid—

(a) a pension to, or in respect of, a person who has been the London Fire Commissioner, or

(b) amounts for or towards the provision of a pension to, or in respect of, such a person,

in accordance with the terms and conditions of the Commissioner's appointment.

(4) Payments under this paragraph are to be made by the London Fire Commissioner.

(5) In determining the London Fire Commissioner's terms and conditions relating to these matters, the Mayor must have regard to the financial resources of the Commissioner.

The Deputy London Fire Commissioner

3 (1) The London Fire Commissioner may exercise the power in section 112 of the Local Government Act 1972 (appointment of staff) to appoint a Deputy London Fire Commissioner.

(2) The Deputy London Fire Commissioner may exercise any or all of the powers and duties of the London Fire Commissioner—

(a) during any absence, incapacity or suspension from duty of the Commissioner,

(b) during any vacancy in the office of Commissioner, or

(c) at any other time, with the consent of the Commissioner.

(3) The Deputy London Fire Commissioner may not act under sub-paragraph (2)(a) or (b) for a continuous period of three months or more without the consent of the Mayor.

Damages and costs in legal proceedings

4 (1) The following amounts must be paid by the London Fire Commissioner—

(a) any damages or costs awarded against the Commissioner in any proceedings brought against the Commissioner in respect of the acts or omissions of an officer employed by the Commissioner;

(b) any costs incurred by the Commissioner in any such proceedings so far as not recovered by the Commissioner in the proceedings;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(c) any sum required in connection with the settlement of any claim made against the Commissioner in respect of the acts or omissions of an officer employed by the Commissioner, if the settlement is approved by the Mayor.

(2) The London Fire Commissioner may, in such cases and to such extent as appears to the Commissioner to be appropriate, pay—

(a) any damages or costs awarded against an officer employed by the Commissioner in proceedings for any unlawful conduct of that officer,

(b) any costs incurred and not recovered by such an officer in such proceedings, and

(c) any sum required in connection with the settlement of a claim that has or might have given rise to such proceedings.**]**

[F302]SCHEDULE 28

Section 328.

. . . . . .

Textual Amendments

F302 Sch. 28 omitted (E.W.) (31.1.2017 for specified purposes, 1.4.2018 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 16**; S.I. 2018/227, **reg. 4(c)**

[F303]SCHEDULE 29

Section 328.

. . . . . .

Textual Amendments

F303 Sch. 29 omitted (E.W.) (31.1.2017 for specified purposes, 1.4.2018 in so far as not already in force) by virtue of Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 2 para. 17**; S.I. 2018/227, **reg. 4(c)**

SCHEDULE 30

Section 375.

THE CULTURAL STRATEGY GROUP FOR LONDON

Status and capacity

1 (1) The Cultural Strategy Group for London shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.

(2) The members and staff of the Cultural Strategy Group for London shall not be regarded as civil servants, and its property shall not be regarded as property of, or held on behalf of, the Crown.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) It shall be within the capacity of the Cultural Strategy Group for London to do such things and enter into such transactions as are calculated to facilitate, or are conducive or incidental to, the discharge of its functions under this Act.

(4) The Cultural Strategy Group for London may acquire and hold land for the purpose of enabling or facilitating the discharge of its functions.

Membership

PROSPECTIVE

2 (1) The Cultural Strategy Group for London shall consist of not fewer than 10 nor more than 25 members.

(2) The members shall be appointed by the Mayor.

(3) The members shall be individuals—

(a) who are representatives of such bodies concerned with relevant matters as the Mayor considers appropriate; or

(b) who have knowledge, experience or expertise which is relevant to the functions of the Cultural Strategy Group for London.

(4) Before making any appointment of a member, the Mayor shall consult such bodies or persons as he considers appropriate.

(5) Before making an appointment by virtue of sub-paragraph (3)(a) above, the Mayor shall consult the body concerned.

(6) In sub-paragraph (3)(a) above "relevant matters" means any of the matters in relation to which the culture strategy may contain policies.

Appointment of member to take chair

3 The Mayor shall appoint one of the members of the Cultural Strategy Group for London to chair it.

Tenure of office

4 (1) The members of the Cultural Strategy Group for London shall hold and vacate office in accordance with the terms of their appointment.

(2) The terms of appointment of a member shall be such as the Mayor may determine.

(3) But a member may at any time resign his membership by giving notice to the Mayor.

(4) A person who ceases to be a member shall be eligible for re-appointment.

Members' expenses

5 The Mayor may pay the members of the Cultural Strategy Group for London allowances in respect of travel or other expenses properly incurred by them.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Staff

6 (1) The Cultural Strategy Group for London may appoint such staff as it considers necessary for assisting it in the exercise of any of its functions.

(2) The staff of the Cultural Strategy Group for London shall be appointed on such terms and conditions (including conditions as to remuneration) as the Cultural Strategy Group for London shall determine.

Financial provisions

7 The Mayor may provide the Cultural Strategy Group for London with sums of money towards defraying expenses properly incurred by the Cultural Strategy Group for London in carrying out its functions.

Proceedings

8 (1) The quorum of the Cultural Strategy Group for London and the arrangements relating to its meetings shall be such as it may determine.

(2) The validity of proceedings of the Cultural Strategy Group for London is not affected—

(a) by any vacancy among the members or any defect in the appointment of any member; or

(b) by any failure to make, or any defect in, an appointment under paragraph 3 above.

Application of seal and proof of instruments

9 (1) The application of the seal of the Cultural Strategy Group for London shall be authenticated by the signature of any member, or any member of staff, of the Cultural Strategy Group for London who has been authorised for the purpose, whether generally or specially, by the Cultural Strategy Group for London.

(2) In sub-paragraph (1) above the reference to the signature of a person includes a reference to a facsimile of a signature by whatever process reproduced; and, in paragraph 10 below, the word "signed" shall be construed accordingly.

Documents served etc by or on the Cultural Strategy Group for London

10 (1) Any document which the Cultural Strategy Group for London is authorised or required by or under any enactment to serve, make or issue may be signed on behalf of the Cultural Strategy Group for London by any member, or any member of staff, of the Cultural Strategy Group for London who has been authorised for the purpose, whether generally or specially, by the Cultural Strategy Group for London.

(2) Every document purporting to be an instrument made or issued by or on behalf of the Cultural Strategy Group for London and to be duly executed under the seal of the Cultural Strategy Group for London, or to be signed or executed by a person authorised by the Cultural Strategy Group for London for the purpose, shall be received in evidence and be treated, without further proof, as being so made or so issued unless the contrary is shown.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(3) Any notice which is required or authorised, by or under any provision of any other Act, to be given, served or issued by, to or on the Cultural Strategy Group for London shall be in writing.

SCHEDULE 31

Section 409.

TRANSFER SCHEMES

Interpretation

1 In this Schedule—

"Crown scheme" means a scheme under subsection (1) of section 409 of this Act;

"ordinary scheme" means a scheme under subsection (2) of section 409 of this Act;

"predecessor bodies" means the bodies or persons falling within subsection (3) of section 408 of this Act;

"successor bodies" means the bodies or persons falling within subsection (2) of section 408 of this Act;

"transfer scheme" means a Crown scheme or an ordinary scheme.

Effect of transfer scheme

2 (1) A transfer scheme shall by virtue of this paragraph take effect in accordance with the provisions of the scheme on such day or days as may be appointed by the scheme.

(2) A transfer scheme may make provision for transfers to take effect at such time of day as may be specified in the scheme.

Other provision that may be contained in a Crown scheme

3 (1) A Crown scheme may also contain provision—

(a) for the creation, in relation to property which the scheme transfers, of an interest in or right over the property in favour of the transferor;

(b) for the creation of any rights or liabilities as between two or more of the successor bodies, or as between one or more of them and the Crown;

(c) for any rights or liabilities specified or described in the scheme to be, or to be to any extent, enforceable by or against two or more of the successor bodies, or by or against one or more of them and the Crown;

(d) for imposing on any two or more of the successor bodies, or on one or more of them and the Crown, an obligation to enter into written agreements with, or execute other instruments in favour of, each other.

(2) A Crown scheme may also contain provision—

(a) for the creation in favour of any of the successor bodies of an interest in or right over property retained by the Crown;

(b) for the creation in favour of any of the successor bodies of an interest in or right over property which the scheme transfers to another of those bodies.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Making and approval of ordinary scheme

4 (1) Where any of the predecessor bodies is required to make an ordinary scheme, it shall submit the scheme to the relevant Minister for his approval before such date as he may direct.

(2) Where a scheme is submitted under sub-paragraph (1) above, the relevant Minister may approve the scheme either with or without modification.

(3) Before giving his approval under sub-paragraph (2) above, the relevant Minister must consult—

(a) the transferor;

(b) such of the successor bodies as have been established and are affected by the scheme; and

(c) if the scheme makes provision by virtue of subsection (7) of section 409 of this Act, the trustees or managers, or the administrators, of any existing pension scheme in relation to which provision is made.

(4) A scheme required to be submitted under sub-paragraph (1) above shall not take effect unless approved under sub-paragraph (2) above.

(5) In this paragraph "the relevant Minister", in relation to an ordinary scheme, means the Minister of the Crown who gave the direction under section 409(2) of this Act to make the scheme.

Power of Minister to make ordinary scheme

5 (1) A Minister of the Crown who has given a direction under subsection (2) of section 409 of this Act may, after consultation with the transferor and such of the successor bodies as are affected, make an ordinary scheme himself if—

(a) he decides not to approve (with or without modifications) a scheme submitted to him pursuant to the direction before the date specified for the purpose under paragraph 4(1) above, or

(b) no ordinary scheme is submitted to him pursuant to the direction for approval before that date.

(2) Nothing in sub-paragraph (1) above shall prevent a Minister of the Crown from approving a scheme submitted to him after the date specified in relation to it under paragraph 4(1) above.

(3) A scheme made by a Minister of the Crown under sub-paragraph (1) above shall be treated for all purposes as having been made by the transferor and approved by the Minister.

Other provision that may be contained in an ordinary scheme

6 An ordinary scheme may also contain provision—

(a) for the creation, in relation to property which the scheme transfers, of an interest in or right over the property in favour of the transferor;

(b) for the creation in favour of any of the successor bodies of—

(i) an interest in or right over property retained by the transferor; or

(ii) an interest in or right over property which the scheme transfers to another of those bodies;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(c) for the creation of any rights or liabilities as between two or more of the successor bodies or as between one or more of those bodies and the transferor;

(d) for any rights or liabilities specified or described in the scheme to be, or to be to any extent, enforceable by or against two or more of the successor bodies, or by or against one or more of those bodies and the transferor;

(e) for imposing on any two or more of the successor bodies, or on one or more of those bodies and the transferor, an obligation to enter into written agreements with, or execute other instruments in favour of, each other.

Power to make consequential, transitional etc provision

7 (1) A transfer scheme may contain incidental, consequential, supplemental or transitional provision and savings.

(2) A transfer scheme may make different provision for different purposes.

SCHEDULE 32

Section 411.

LONDON REGIONAL TRANSPORT PENSION ETC SCHEMES

Interpretation

1 (1) In this Schedule—

"employment" means employment under a contract of service or apprenticeship (whether express or implied and, if express, whether oral or in writing) and related expressions shall be construed accordingly;

"LRT pension scheme" means any occupational pension scheme for the provision of pensions for or in respect of persons with service in the employment of London Regional Transport or a subsidiary of London Regional Transport (whether or not pensions may also be provided under the scheme for or in respect of persons without such service);

"LRT welfare scheme" means a scheme (other than a pension scheme) for the provision, whether directly or indirectly, of benefits for or in respect of persons with service in the employment of London Regional Transport or a subsidiary of London Regional Transport (whether or not benefits may also be provided under the scheme for or in respect of persons without such service);

"occupational pension scheme" has the meaning given in section 1 of the [M204]Pension Schemes Act 1993;

"order" means an order made by the Secretary of State under section 411(1) of this Act;

"prescribed" means specified in, or determined in accordance with, an order.

(2) Subject to sub-paragraph (1) above, expressions used in this Schedule and in section 411 of this Act have the same meaning in this Schedule as they have in that section.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Commencement Information

I125 Sch. 32 para. 1: by virtue of s. 425(2) the Act comes into force at Royal Assent in regards to any power of a Minister of the Crown to make regulations or an order

Marginal Citations

M204 1993 c. 48.

Amendment of LRT pension schemes

2 (1) In the case of any LRT pension scheme, the provision that may be made by order under section 411(1) of this Act includes provision for or in connection with—

(a) the allocation of assets, rights, liabilities or obligations between different sections of the scheme;

(b) securing that the scheme continues to be **[**[F304]registered or**]** approved for the purposes of the relevant enactments, notwithstanding any transfers made by or under this Act or any qualifying transaction.

(2) In sub-paragraph (1) above—

"qualifying transaction" means any relevant transaction, within the meaning of paragraph 3 below, as a result of which a person is or becomes a protected person for the purposes of that paragraph;

"the relevant enactments" means—

(a) **[**[F305]Part 4 of the Finance Act 2004 (pension schemes etc); and**]**

(b) Part III of the [M205]Pension Schemes Act 1993, so far as relating to occupational pension schemes.

Textual Amendments

F304 Words in Sch. 32 para. 2(1)(b) inserted (6.4.2006) by The Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745), arts. 1, **14(a)**

F305 Words in Sch. 32 para. 2(2) substituted (6.4.2006) by The Taxation of Pension Schemes (Consequential Amendments) Order 2006 (S.I. 2006/745), arts. 1, **14(b)**

Commencement Information

I126 Sch. 32 para. 2: by virtue of s. 425(2) the Act comes into force at Royal Assent in regards to any power of a Minister of the Crown to make regulations or an order

Marginal Citations

M205 1993 c. 48.

Protection of pension arrangements of transferred employees

3 (1) For the purposes of this paragraph, a "protected person" is a person—

(a) who, as a result of any prescribed relevant transaction, becomes, or since 20th March 1998 has become, an employee of a private sector company; and

(b) who, immediately before becoming such an employee, was an employee of London Regional Transport or a subsidiary of London Regional Transport.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) The Secretary of State may by order make provision for the purpose of securing that no protected person (and, accordingly, no person who is or may become entitled to a pension in respect of a protected person) ceases to be overall in materially at least as good a position, as respects pension arrangements, as a result of—
   (a) the relevant transaction by reason of which the protected person is such a person; or
   (b) any pensions order made in connection with that relevant transaction.

(3) The provision that may be made by virtue of sub-paragraph (2) above is provision for the purpose of securing that a protected person has the right—
   (a) for so long as the appropriate conditions are satisfied, to continue to participate as a contributing member in any prescribed LRT pension scheme in which he was participating as such a member immediately before the relevant transaction, and
   (b) for so long as his period of continuous employment is not broken, to participate as a contributing member in a pension scheme under which the benefits to be provided to or in respect of him are overall materially at least as good as those provided under any **[**[F306]prescribed LRT pension scheme**]** in which he was participating as a contributing member immediately before the relevant transaction,

subject to any provision made by virtue of sub-paragraph (6) below.

(4) For the purposes of sub-paragraph (3)(a) above, "the appropriate conditions" are—
   (a) that the protected person continues to be a person employed in the London underground railway industry (whether or not with the same employer); and
   (b) that any prescribed conditions with respect to continuity of employment are satisfied in his case.

(5) The provision that may be made by virtue of sub-paragraph (2) above includes provision for or in connection with the level of funding which is to be maintained in the case of any pension scheme of a prescribed description so far as relating to protected persons.

(6) An order made by virtue of sub-paragraph (2) above may make provision for such orders to cease to have effect in the case of any protected person if—
   (a) he voluntarily withdraws from an occupational pension scheme, or
   (b) he requests that his pension rights be transferred from an occupational pension scheme,

except in such circumstances or to such extent as may be prescribed.

(7) Circumstances may be prescribed in which—
   (a) a break in the continuity of a person's period of employment,
   (b) a person's ceasing to be a person employed in the London underground railway industry, or
   (c) a person's voluntary withdrawal from an occupational pension scheme,

shall be disregarded for prescribed purposes of this paragraph.

(8) Chapter I of Part XIV of the [M206]Employment Rights Act 1996 (continuous employment) shall apply for the purposes of this paragraph as it applies for the purposes of that Act.

(9) For the purposes of this paragraph—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) the persons who are to be regarded as "employed in the London underground railway industry" are those who are employed to carry on activities of a class or description specified for the purposes of this sub-paragraph in an order made by the Secretary of State; and

(b) the Secretary of State may so specify any class or description of activity which, in his opinion, falls within, or is related to or connected with, the London underground railway industry.

(10) In this paragraph—

"contributing member", in the case of any pension scheme, means a member who makes, and whose employer makes in respect of him, contributions under the scheme;

"pensions order" means an order made otherwise than by virtue of this paragraph;

"private sector company" means any company other than a public sector operator, within the meaning of Chapter VII of Part IV of this Act;

"relevant transaction" means—

(a) a transfer of shares in a subsidiary of London Regional Transport to a private sector company; or

(b) a transfer of rights and liabilities under a contract of employment.

Textual Amendments

F306 Words in Sch. 32 para. 3(3)(b) substituted (27.5.2000) by S.I. 2000/1435, art. 2, **Sch. Pt. I para. 11**

Commencement Information

I127 Sch. 32 para. 3: by virtue of s. 425(2) the Act comes into force at Royal Assent in regards to any power of a Minister of the Crown to make regulations or an order

Marginal Citations

M206 1996 c. 18.

Power to dispense with consent of trustees

4 If the Secretary of State makes provision under this Act for or in connection with—

(a) enabling employees of Transport for London, or of a subsidiary of Transport for London, or of a private sector company (within the meaning of paragraph 3 above) to participate in an LRT pension scheme, or

(b) enabling Transport for London, a subsidiary of Transport for London or such a company to participate as an employer in such a scheme,

he may by order make provision requiring the trustees of the scheme or any other person whose approval or consent is necessary in connection with the doing of anything required to be done by virtue of the order to give that approval or consent.

Commencement Information

I128 Sch. 32 para. 4: by virtue of s. 425(2) the Act comes into force at Royal Assent in regards to any power of a Minister of the Crown to make regulations or an order

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

LRT welfare schemes

5 (1) The provision that may be made by order under section 411(1) of this Act includes provision with respect to the provision, under an LRT welfare scheme, of benefits for or in respect of persons who are or have been employees of—

(a) London Regional Transport or any subsidiary of London Regional Transport; or

(b) Transport for London or any subsidiary of Transport for London.

(2) For the purposes of sub-paragraph (1) above, the provisions of section 411 of this Act, and of the other paragraphs of this Schedule, shall apply in relation to an LRT welfare scheme as they apply in relation to a pension scheme, but taking references in those provisions to pensions as references to benefits and construing references to pension rights accordingly.

(3) The Secretary of State may by order amend the **[**[F307]articles**]** of any company which is the trustee of an LRT welfare scheme for or in connection with permitting directors or shareholders of the company to be persons who are officers or servants of Transport for London or a subsidiary of Transport for London.

[[F308]In this sub-paragraph "company" means a company as defined in section 1(1) of the Companies Act 2006.**]**

(4) Any powers—

(a) which were vested in the London Transport Board in relation to an LRT welfare scheme, and

(b) which have not become vested in London Regional Transport by virtue of a transfer under section 16(1) of the [M207]Transport (London) Act 1969 or otherwise,

shall be deemed to be vested in London Regional Transport by virtue of such a transfer.

(5) Anything done at any time by or in relation to London Regional Transport—

(a) before the coming into force of sub-paragraph (4) above, and

(b) in reliance on any power deemed by that sub-paragraph to be vested in London Regional Transport,

shall be as valid and effective as if the power had at that time been vested in London Regional Transport.

Textual Amendments

F307 Word in Sch. 32 para. 5(3) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(9)(a)** (with art. 10)

F308 Words in Sch. 32 para. 5(3) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 178(9)(b)** (with art. 10)

Commencement Information

I129 Sch. 32 para. 5: by virtue of s. 425(2) the Act comes into force at Royal Assent in regards to any powers of a Minister of the Crown to make regulations or an order

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M207 1969 c. 35.

PROSPECTIVE

Former employees of predecessors of London Regional Transport

6 In the application of section 411 of this Act in a case where the body or person falling within paragraph (b) of subsection (1) of that section is London Regional Transport or a subsidiary of London Regional Transport, paragraph (c) of that subsection shall have effect with the insertion, after "falling within paragraph (b) above", of "or this paragraph".

SCHEDULE 33

Section 419.

TAXATION PROVISIONS

PART I

TRANSFERS FROM LONDON REGIONAL TRANSPORT TO TRANSPORT FOR LONDON

Interpretation

1 In this Part of this Schedule—

"qualifying transfer" means a transfer of property, rights or liabilities by virtue of a transfer instrument;

"successor" means the body to which property, rights or liabilities are transferred by virtue of a transfer instrument;

"transfer date", in the case of any transfer, means the date on which the transfer takes effect;

"transfer instrument" means—

(a) an order under section 408 or 411 of this Act;

(b) a scheme under section 409 of this Act; or

(c) an instrument or agreement which is certified to the Commissioners of Inland Revenue by London Regional Transport as made in pursuance of such an order or scheme;

"transferor" in relation to any qualifying transfer, means the body from which the property, rights or liabilities in question are transferred by virtue of the transfer instrument in question.

Chargeable gains: general

2 (1) For the purposes of the [M208]Taxation of Chargeable Gains Act 1992, where there is a qualifying transfer—

(a) from London Regional Transport or any of its subsidiaries,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) to Transport for London or any of its immediate subsidiaries,

the transfer of the property, rights and liabilities to which it relates shall be deemed, in relation to the successor as well as the transferor, to be for a consideration such that neither a gain nor a loss accrues to the transferor.

(2) For the purposes of this paragraph a company is an "immediate subsidiary" of Transport for London if—

(a) it is a subsidiary of Transport for London; but

(b) it is not a subsidiary of another company which is a subsidiary of Transport for London.

Marginal Citations

M208 1992 c. 12.

Group transactions

3 (1) For the purposes of section 179 of the [M209]Taxation of Chargeable Gains Act 1992 (company ceasing to be a member of a group) where, by virtue of a qualifying transfer from London Regional Transport or a subsidiary of London Regional Transport to Transport for London or a subsidiary of Transport for London, a company—

(a) ceases to be a member of the same group of companies as London Regional Transport, but

(b) becomes a member of a group of companies whose principal company ("the new principal"), whether it is the company or not, is a subsidiary of Transport for London,

the company shall not under that section be treated, in consequence of having so ceased, as at any time having sold, and immediately reacquired, any asset acquired from a company which is or has been a member of the former group.

(2) Subject to sub-paragraph (3) below, where sub-paragraph (1) above applies, or but for subsection (2) of section 179 of the [M210]Taxation of Chargeable Gains Act 1992 would apply, as respects any acquisition of any asset and the company that acquired the asset ceases to be a member of the same group of companies as the new principal, that section shall have effect as if—

(a) that asset had been acquired from the body which is the new principal; and

(b) the company had been a member of the same group of companies as that body when it was so acquired;

and where, for the purposes of that subsection, this sub-paragraph applies as respects more than one of a number of successive acquisitions of any asset, the fact that each is to be treated as an acquisition from the same person shall be disregarded.

(3) Where—

(a) any asset has been acquired by any company ("the leaving company") from another company,

(b) both of those companies cease at the same time to be members of the same group of companies as the new principal, and

(c) those companies are associated companies both immediately before and immediately after that time and at the time of the acquisition of the asset by the leaving company,

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

sub-paragraph (2) above shall not apply as respects the acquisition of the asset by the leaving company.

(4) Expressions used in this paragraph and in section 179 of the [M211]Taxation of Chargeable Gains Act 1992 have the same meaning in this paragraph as in that section.

Marginal Citations

M209 1992 c. 12.
M210 1992 c. 12.
M211 1992 c. 12.

Capital allowances

4 (1) This paragraph applies in relation to any qualifying transfer of relevant assets—

(a) from London Regional Transport or any of its subsidiaries,

(b) to Transport for London or any of its subsidiaries.

(2) In this paragraph "relevant assets", in the case of any qualifying transfer, means assets by reference to which capital allowances may be or have been made to the transferor.

(3) Where this paragraph applies in relation to a qualifying transfer of relevant assets—

(a) there shall be made to or on the successor in accordance with the **[**[F309]the Capital Allowances Act 2001**]** all such allowances and charges as would, if the transferor had continued to carry on its trade or other activities, have fallen to be made to or on the transferor in respect of those assets; and

(b) the amount of any such allowance or charge shall be computed on a just basis as if—

(i) the acquisition of those assets by the transferor had been their acquisition by the successor for the purposes of the trade (if any) to be carried on by the successor on and after the transfer date;

(ii) the successor had been carrying on its trade (if any) at the time of that acquisition; and

(iii) everything done by or to the transferor in respect of those assets had been done by or to the successor (but so that the qualifying transfer itself, so far as it relates to any assets in use for the purpose of the trade, shall not be treated as giving rise to any such allowance or charge).

(4) The amounts falling to be taken into account in relation to the transferor as expenditure by reference to which capital allowances may be made shall be reduced, in relation to accounting periods beginning on or after the transfer date, by such amount as is just, taking into account the successor's entitlement to capital allowances under sub-paragraph (3) above.

(5) The transferor's entitlement to capital allowances for its accounting period in which the transfer date falls shall be reduced by an amount which is just.

(6) In the case of a qualifying transfer of relevant assets to Transport for London—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) in consequence of subsection (1) of section 419 of this Act, no allowances or charges are to be made to or on Transport for London by virtue of sub-paragraph (3) above; but

(b) sub-paragraphs (4) and (5) above shall have effect in relation to the transferor as if paragraph (a) had been omitted from that subsection.

(7) If any dispute arises as to the amount which is just for the purposes of sub-paragraph (3), (4) or (5) above—

(a) the Commissioners of Inland Revenue, the transferor or the successor may refer the dispute to the Secretary of State; and

(b) on any such reference, the amount which is just shall be such amount as the Secretary of State may determine with the approval of the Treasury.

(8) Neither—

(a) section 343(2) of the Taxes Act 1988 (company reconstructions without change of ownership), nor

(b) **[**[F310]section 266 of the Capital Allowances Act 2001 (election where predecessor and successor are connected persons)**]**,

shall have effect by virtue of a qualifying transfer in relation to which this paragraph applies.

[[F311](9) Except as provided by this paragraph, a qualifying transfer in relation to which this paragraph applies shall be taken for the purposes of the Capital Allowances Act 2001 not to give rise to—

(a) any writing-down allowances, balancing allowances or balancing charges under Chapter 5 of Part 2 of that Act (plant and machinery allowances and charges),

(b) any disposal value being treated as received for the purposes of that Chapter,

(c) any qualifying expenditure being treated as incurred for the purposes of that Chapter, or

(d) any writing-down allowances, balancing allowances or balancing charges under Part 3 of that Act (industrial buildings allowances).

(10) In this paragraph and paragraph 10 below "the Capital Allowances Act 2001" includes, where the context admits, enactments which under the Taxes Act 1988 are to be treated as contained in the Capital Allowances Act 2001.**]**

Textual Amendments

F309 Words in Sch. 33 para. 4(3) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(1)**

F310 Words in Sch. 33 para. 4(8)(a) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(2)**

F311 Sch. 33 para. 4(9)(10) substituted for Sch. 33 para. 4(9) (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(3)**

Preparatory transfers

5 (1) Paragraph 4 above shall have effect in relation to a preparatory transfer of relevant assets as it has effect in relation to a qualifying transfer in relation to which that paragraph applies.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(2) For the purposes of this paragraph, a "preparatory transfer" is a transfer of property, rights or liabilities—

(a) from London Regional Transport to a subsidiary of London Regional Transport,

(b) from a subsidiary of London Regional Transport to London Regional Transport, or

(c) from a subsidiary of London Regional Transport to another such subsidiary,

by virtue of an instrument, or in pursuance of an agreement, which is certified to the Commissioners of Inland Revenue by London Regional Transport as made in preparation for, or in pursuance of, a qualifying transfer falling within sub-paragraph (3) below.

(3) A qualifying transfer falls within this sub-paragraph if it is a transfer of shares in a company which—

(a) immediately before the transfer is a subsidiary of London Regional Transport; but

(b) as a result of the transfer becomes instead a subsidiary of Transport for London.

PART II

PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS

Interpretation

6 (1) In this Part of this Schedule—

"PPP scheme" means a transfer scheme made in preparation for, or in pursuance of, a PPP agreement;

"predecessor", in relation to any relevant transfer, means the body from which the property, rights or liabilities in question are transferred by virtue of the PPP scheme in question;

"private sector company" means a company which is not a public sector operator;

"relevant transfer" means a transfer of any property, rights or liabilities by virtue of a PPP scheme;

"transfer date", in the case of a relevant transfer, means the date on which the transfer takes effect;

"transfer scheme" means a scheme made under or by virtue of section 9(6) of the [M212]London Regional Transport Act 1984;

"transferee", in relation to a relevant transfer, means the body to which the property, rights or liabilities in question are transferred by virtue of the PPP scheme in question.

(2) Any reference in this Part of this Schedule to a PPP agreement includes a reference to a contract—

(a) which is not a PPP agreement, by reason of the condition in subsection (6) of section 210 of this Act remaining to be satisfied (whether or not the condition in subsection (5) of that section also remains to be satisfied); but

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(b) as respects which London Regional Transport certifies to the Commissioners of Inland Revenue—

(i) that the contract is intended by the parties to become a PPP agreement; and

(ii) that such one or more of the parties as may be specified in the certificate are intended to become PPP companies.

(3) In the case of a contract falling within sub-paragraph (2) above, any reference in this Schedule to a PPP company includes a reference to any company in respect of which the certificate under paragraph (b)(ii) of that sub-paragraph is given.

(4) Except where the context otherwise requires, expressions used in this Part of this Schedule and in Chapter VII of Part IV of this Act have the same meaning in this Part of this Schedule as they have in that Chapter.

Marginal Citations

M212 1984 c. 32.

Revenue nature of payments under PPP agreements

7 Any payment made by a relevant body to a company in pursuance of a PPP agreement shall be deemed for the purposes of the Corporation Tax Acts—

(a) in the case of the relevant body, to be an expense of a revenue, rather than a capital, nature (and deductible accordingly in computing profits under **[**[F312]Part 3 of the Corporation Tax Act 2009**]**); and

(b) in the case of the company, to be a receipt of a trade carried on by the company (and taxable accordingly under **[**[F313]Part 3 of the Corporation Tax Act 2009**]**).

Textual Amendments

F312 Words in Sch. 33 para. 7(a) substituted (with effect in accordance with s. 381(1) of the amending Act) by Taxation (International and Other Provisions) Act 2010 (c. 8), s. 381(1), **Sch. 8 para. 296(a)** (with Sch. 9 paras. 1-9, 22)

F313 Words in Sch. 33 para. 7(b) substituted (with effect in accordance with s. 381(1) of the amending Act) by Taxation (International and Other Provisions) Act 2010 (c. 8), s. 381(1), **Sch. 8 para. 296(b)** (with Sch. 9 paras. 1-9, 22)

Chargeable gains: the share transfer to the private sector company

8 For the purposes of the [M213]Taxation of Chargeable Gains Act 1992, where pursuant to a PPP agreement there is a transfer of shares of a PPP company—

(a) from London Regional Transport or any of its subsidiaries,

(b) to a private sector company,

the transfer shall be deemed, in relation to the private sector company as well as the transferor, to be for a consideration such that neither a gain nor a loss accrues to the transferor.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Marginal Citations
M213 1992 c. 12.

Chargeable gains: company leaving the LRT group

9 (1) For the purposes of section 179 of the [M214]Taxation of Chargeable Gains Act 1992 (company ceasing to be a member of a group) where, by virtue of a transfer of shares or an agreement to transfer shares from London Regional Transport or a subsidiary of London Regional Transport to a private sector company, a company ("the transferred company") which is or is to be a party to a PPP agreement—

(a) ceases to be a member of the same group of companies as London Regional Transport, but

(b) becomes a member of a group of companies ("the A group") of which the private sector company is a member (or becomes a member by virtue of the transfer or agreement to transfer the shares),

the transferred company shall not under that section be treated, in consequence of having so ceased, as at any time having sold, and immediately reacquired, any asset acquired from a company which is or has been a member of the former group.

(2) Subject to sub-paragraph (3) below, where sub-paragraph (1) above applies, or but for subsection (2) of section 179 of the [M215]Taxation of Chargeable Gains Act 1992 would apply, as respects any acquisition of any asset and the company that acquired the asset ceases to be a member of the A group, that section shall have effect as if—

(a) the asset had been acquired from the principal company of the A group; and

(b) the company had been a member of the A group when it was so acquired;

and where, for the purposes of that subsection, this sub-paragraph applies as respects more than one of a number of successive acquisitions of any asset, the fact that each is to be treated as an acquisition from the same person shall be disregarded.

(3) Where—

(a) any asset has been acquired by any company ("the leaving company") from another company,

(b) both of those companies cease at the same time to be members of the A group, and

(c) those companies are associated companies immediately before and immediately after that time and at the time of acquisition of the asset by the leaving company,

sub-paragraph (2) above shall not apply as respects the acquisition of the asset by the leaving company.

(4) Expressions used in this paragraph and in section 179 of the [M216]Taxation of Chargeable Gains Act 1992 have the same meaning in this paragraph as in that section.

Marginal Citations
M214 1992 c. 12.
M215 1992 c. 12.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

M216 1992 c. 12.

Capital allowances: general

10 (1) This paragraph applies in relation to any relevant transfer—

(a) from London Regional Transport to a subsidiary of London Regional Transport,

(b) from a subsidiary of London Regional Transport to London Regional Transport, or

(c) from a subsidiary of London Regional Transport to another such subsidiary,

which is certified to the Commissioners of Inland Revenue by London Regional Transport as made in preparation for, or in pursuance of, a PPP agreement.

(2) A PPP scheme which provides for a relevant transfer in relation to which this paragraph applies may include provision for amounts of expenditure by reference to which capital allowances may be made to the predecessor in relation to anything—

(a) to which the transfer relates, and

(b) which is specified, or of a description specified, for the purpose in the PPP scheme,

to be allocated to the transferee and treated for the purposes of the Corporation Tax Acts, as respects periods beginning on or after the transfer date, as expenditure by reference to which capital allowances may be made to the transferee instead of to the predecessor.

(3) Where an amount of expenditure is allocated under sub-paragraph (2) above to the transferee then, subject to sub-paragraph (4) below, there shall be made to or on the transferee in accordance with **[**[F314]the Capital Allowances Act 2001**]** all such allowances and charges as would have fallen to be made to or on him had he incurred expenditure of that amount on the transfer date in the acquisition, for the purposes of a trade carried on by him, of anything falling within paragraphs (a) and (b) of sub-paragraph (2) above.

(4) For the purposes of the Corporation Tax Acts, only such amounts (if any) as may be specified in or determined in accordance with the PPP scheme providing for a relevant transfer shall be allocated to the transferee in respect of expenditure by reference to which capital allowances may be made by virtue of sub-paragraph (3) above in relation to anything to which the transfer relates.

(5) The allocation in accordance with sub-paragraphs (2) and (4) above of an amount of expenditure to the transferee shall affect the amounts falling to be taken into account in relation to the predecessor as expenditure by reference to which capital allowances may be made only so far as necessary to give effect to a reduction of any such amount by a sum equal to so much of that amount as is so allocated to the transferee.

(6) If the PPP scheme in question so provides, then, notwithstanding sub-paragraph (5) above,—

(a) the predecessor shall be entitled, for its accounting period in which the transfer date falls, to allowances, determined in accordance with the PPP scheme, in respect of the amount so allocated, but

(b) for that purpose that amount shall be treated as reduced to the amount which bears to it the proportion which that part of the accounting period which falls before the transfer date bears to twelve months;

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

and a PPP scheme which makes any such provision may also make provision for or in connection with the making of an adjustment, determined in accordance with the PPP scheme, in relation to the transferee's entitlement to allowances.

(7) Subject to sub-paragraph (8) below, the provisions of a PPP scheme providing for the determination of any amount which for the purposes of sub-paragraphs (2) and (4) above is to be allocated, in the case of any relevant transfer, to the transferee may include provision—

(a) for such a determination to be made by the Secretary of State in such manner as may be described in the scheme;

(b) for any amount determined to be calculated by reference to such factors, or to the opinion of such person, as may be so described;

(c) for or in connection with the making of any related determinations under sub-paragraph (6) above; or

(d) for a determination under those provisions, or under sub-paragraph (6) above, to be capable of being modified, on one or more occasions, in such manner and in such circumstances as may be so described.

(8) The consent of the Treasury shall be required for the making or modification of a determination of any such amount as is mentioned in sub-paragraph (7) above.

(9) Neither section 343 of the Taxes Act 1988 (company reconstructions without change of ownership) nor **[**[F315]section 266 of the Capital Allowances Act 2001 (election where predecessor and successor are connected persons)**]** shall have effect by virtue of a relevant transfer in relation to which this paragraph applies.

[[F316](10) Except as provided by this paragraph, a relevant transfer in relation to which this paragraph applies shall be taken for the purposes of the Capital Allowances Act 2001 not to give rise to—

(a) any writing-down allowances, balancing allowances or balancing charges under Chapter 5 of Part 2 of that Act (plant and machinery allowances and charges),

(b) any disposal value being treated as received for the purposes of that Chapter,

(c) any qualifying expenditure being treated as incurred for the purposes of that Chapter, or

(d) any writing-down allowances, balancing allowances or balancing charges under Part 3 of that Act (industrial buildings allowances).**]**

Textual Amendments

F314 Words in Sch. 33 para. 10(3) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(4)**

F315 Words in Sch. 33 para. 10(9) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(5)**

F316 Sch. 33 para. 10(10) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(6)**

Leases and easements

11 (1) This paragraph applies where by or under, or otherwise in connection with, a PPP agreement a relevant body—

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

(a) enters into an agreement to grant to a company a lease of, or an easement over, land which consists of or includes the whole or any part of a relevant site; or

(b) grants such a lease or easement to a company.

(2) In this paragraph "relevant site" means—

(a) an industrial building or structure, within the meaning of **[**[F317]Part 3 of the Capital Allowances Act 2001**]**; or

(b) land which, in relation to any fixture, within the meaning of **[**[F318]Chapter 14 of Part 2**]** of that Act, is the relevant land for the purposes of that Chapter.

(3) Where this paragraph applies, the relevant body shall be deemed for the purposes of the Corporation Tax Acts to have such an interest in the relevant site in question as is sufficient for the agreement or grant to confer an appropriate interest on the company to which the lease or easement is, or is to be, granted (and the agreement or grant shall accordingly be taken for those purposes to confer such an interest).

(4) For the purposes of sub-paragraph (3) above, an "appropriate interest"—

(a) in the case of a relevant site falling within sub-paragraph (2)(a) above, is such an interest in the industrial building or structure in question as is, or is capable of being, for the purposes of **[**[F319]Part 3 of the Capital Allowances Act 2001**]** the relevant interest (within the meaning of that Part) in relation to capital expenditure incurred by the company; or

(b) in the case of a relevant site falling within sub-paragraph (2)(b) above, is such an interest in the land in question as constitutes for the purposes of **[**[F320]Chapter 14 of Part 2 of the Capital Allowances Act 2001**]** an interest in land (within the meaning of that Chapter) by virtue of paragraph (c) or (d), as the case may be, of **[**[F321]section 175(1)**]** of that Act.

(5) In this paragraph—

(a) any reference to granting a lease or easement includes a reference to purporting to do so; and

(b) any reference to a grant, or to a lease or easement, shall be construed accordingly.

(6) In this paragraph "lease" includes underlease.

Textual Amendments

F317 Words in Sch. 33 para. 11(2)(a) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(7)(a)**

F318 Words in Sch. 33 para. 11(2)(b) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(7)(b)**

F319 Words in Sch. 33 para. 11(4)(a) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(8)(a)**

F320 Words in Sch. 33 para. 11(4)(b) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(8)(b)**

F321 Words in Sch. 33 para. 11(4)(b) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(8)(c)**

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

Machinery and plant

12 (1) Nothing in—

[F322](a) . . . . . .

(b) **[**[F323]section 176(2) or (3)**]** of that Act, or

(c) **[**[F324]sections 67 and 68.**]** of that Act,

shall, by reason only of any provision made by or under a PPP agreement, affect the entitlement of any company to capital allowances in respect of capital expenditure incurred by it.

(2) Where, in accordance with any provision made by or under a PPP agreement, any machinery or plant in respect of which a company has been entitled to allowances under **[**[F325]Part 2 of the Capital Allowances Act 2001**]** falls to be transferred, on the expiration of the term of the PPP agreement, from the company—

(a) to a relevant body, or

(b) to such other body or person as a relevant body may specify in accordance with the PPP agreement,

the disposal constituted by that transfer shall be deemed for the purposes of that Part to be for a nil consideration, notwithstanding **[**[F326]item 7 in the Table in section 61(2)**]** of that Act.

Textual Amendments

F322 Words in Sch. 33 para. 12(1)(a) repealed (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, ss. 578, 580, Sch. 2 para. 105(9)(a), **Sch. 4**

F323 Words in Sch. 33 para. 12(1)(b) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(9)(b)**

F324 Words in Sch. 33 para. 12(1)(c) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(9)(c)**

F325 Words in Sch. 33 para. 12(2) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(10)(a)**

F326 Words in Sch. 33 para. 12(2) substituted (22.3.2001 with effect as mentioned in s. 579(1) of the amending Act) by 2001 c. 2, s. 578, **Sch. 2 para. 105(10)(b)**

Sale and leaseback

13 (1) Neither **[**[F327]section 838 or 839**]** (limitation on tax reliefs) nor **[**[F328]section 865 (leased trading assets: tax deduction not to exceed commercial rent)**]** of the **[**[F329]Corporation Tax Act 2010**][**[F330], nor any of sections 681AD, 681AE and 681CC of the Income Tax Act 2007 (which make corresponding provision),**]** shall apply to any payment which falls to made under a PPP agreement.

(2) **[**[F331]Chapter 4 of Part 19**]** of **[**[F332]the Corporation Tax Act 2010 and Chapter 4 of Part 12A of the Income Tax Act 2007**]** (assets leased to traders and others) shall not apply to, or by reason of, any such payment.

Textual Amendments

F327 Words in Sch. 33 para. 13(1) substituted (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), **Sch. 1 para. 307(2)(a)** (with Sch. 2)

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

F328 Words in Sch. 33 para. 13(1) substituted (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), **Sch. 1 para. 307(2)(b)** (with Sch. 2)

F329 Words in Sch. 33 para. 13(1) substituted (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), **Sch. 1 para. 307(2)(c)** (with Sch. 2)

F330 Words in Sch. 33 para. 13(1) inserted (with effect in accordance with s. 381(1) of the amending Act) by Taxation (International and Other Provisions) Act 2010 (c. 8), s. 381(1), **Sch. 8 para. 250(2)** (with Sch. 9 paras. 1-9, 22)

F331 Words in Sch. 33 para. 13(2) substituted (with effect in accordance with s. 1184(1) of the amending Act) by Corporation Tax Act 2010 (c. 4), s. 1184(1), **Sch. 1 para. 307(3)** (with Sch. 2)

F332 Words in Sch. 33 para. 13(2) substituted (with effect in accordance with s. 381(1) of the amending Act) by Taxation (International and Other Provisions) Act 2010 (c. 8), s. 381(1), **Sch. 8 para. 250(3)** (with Sch. 9 paras. 1-9, 22)

SCHEDULE 34

Section 423.

ENACTMENTS REPEALED

PART I

FINANCIAL PROVISIONS

Commencement Information

I130 Sch. 34 Pt. I partly in force; Sch. 34 Pt. I not in force at Royal Assent see s. 425(2); Sch. 34 Pt. I in force at 12.1.2000 for certain repeals by S.I. 1999/3434, art. 2, **Sch. 2** Table 1; Sch. 34 Pt. I in force at 3.7.2000 for certain repeals by S.I. 1999/3434, art. 4, **Sch. 2** Table 2

Chapter	Short title	Extent of repeal
9 & 10 Eliz. 2 c. 62.	The Trustee Investments Act 1961.	In Schedule 1, in Part II, in paragraph 9(d), the words “the Receiver for the Metropolitan Police District or”.
1965 c. 63.	The Public Works Loans Act 1965.	In section 2(1)(a), the word “and” immediately preceding sub-paragraph (iii).
1968 c. 13.	The National Loans Act 1968.	In Schedule 4, in paragraph 1, in paragraph (a) of the definition of “local authority”, the word “and” immediately preceding sub-paragraph (iii).
1972 c. 70.	The Local Government Act 1972.	In section 168(5), the word “and” at the end of paragraph (b).

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

1982 c. 41.	The Stock Transfer Act 1982.	In Schedule 1, paragraph 7(1)(c) and the word "or" immediately preceding it.
1988 c. 41.	The Local Government Finance Act 1988.	In section 47(9)(b), the words "the Receiver for the Metropolitan Police District or".
		In section 111(3), the word "and".
1989 c. 42.	The Local Government and Housing Act 1989.	In section 39(3), paragraph (e) and the word "or" immediately preceding it.
		Section 155(4)(f).
		Section 157(6)(f).
1992 c. 14.	The Local Government Finance Act 1992.	Section 19(3)(e).
		Section 39(1)(e) and (f).
		In section 43(5A), paragraph (b) and the word "and" immediately preceding it.
		In section 46, subsections (2)(d), (3)(d) and (4).
		In section 53(1), the words "other than the Receiver for the Metropolitan Police District".
		In section 65(3), the words "other than the Receiver for the Metropolitan Police District".
		In Schedule 4, in paragraph 5(8)(a), the words "other than the Receiver for the Metropolitan Police District".
1999 c. 22.	The Access to Justice Act 1999.	In Schedule 10, paragraph 40.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

PART II

TRANSPORT FOR LONDON AND LONDON REGIONAL TRANSPORT

Commencement Information

I131 Sch. 34 Pt. II partly in force; Sch. 34 Pt. II not in force at Royal Assent see s. 425(2); Sch. 34 Pt. II in force for specified purposes at 3.7.2000 by S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**

I132 Sch. 34 Pt. 2 in force at 15.7.2003 for specified purposes by S.I. 2003/1920, **art. 2(h)**

Chapter	Short title	Extent of repeal
10 & 11 Eliz. 2 c. 46.	The Transport Act 1962.	Section 67(2A).
		Section 67(15)(b).
		In section 67(16), the words "and London Regional Transport".
1984 c. 32.	The London Regional Transport Act 1984.	The whole Act.
1985 c. 67.	The Transport Act 1985.	Part II.
		Section 107.
1988 c. 41.	The Local Government Finance Act 1988.	In section 88(2), paragraphs (c) and (d).
1992 c. xvi.	The London Regional Transport (Penalty Fares) Act 1992.	The whole Act.
1993 c. 43.	The Railways Act 1993.	Section 2(1).

PART III

RAILWAYS

Chapter	Short title	Extent of repeal
1993 c. viii.	The London Docklands Railway (Lewisham) (No.2) Act 1993.	Section 3(3) and (6).
1994 c. xi.	The Croydon Tramlink Act 1994.	In section 50, subsection (3), in subsection (7), the words from "and to such person" onwards and subsection (9).

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

PART IV

THE TRANSPORT USERS' COMMITTEE

Chapter	Short title	Extent of repeal
1974 c. 7.	The Local Government Act 1974.	In section 25(1), the word "and" preceding paragraph (d).

PART V

HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

Commencement Information

I133 Sch. 34 Pt. V partly in force; Sch. 34 Pt. V not in force at Royal Assent see s. 425(2); Sch. 34 Pt. V in force for specified purposes at 3.7.2000 by S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**

Chapter	Short title	Extent of repeal
32 & 33 Vict. c.115.	The Metropolitan Public Carriage Act 1869.	In section 7, the words "by the said Secretary of State".
1968 c. 7.	The London Cab Act 1968.	In section 2(3), the words from "and shall be exercisable" to the end of the subsection. In section 4A(3), the words from "and shall be exercisable" to the end of the subsection.
1981 c. 56.	The Transport Act 1981.	Section 35(1) and (2).
1985 c. 67.	The Transport Act 1985.	In section 10, in subsection (5)(c), the words "if made otherwise than by the Secretary of State", in subsection (8), the words "Except in the case of a scheme made by the Secretary of State," and subsection (10).
1989 c. 43.	The Statute Law (Repeals) Act 1989.	In Schedule 2, in Part II, paragraph 7.
1998 c. 34.	The Private Hire Vehicles (London) Act 1998.	Section 38.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

PART VI

HIGHWAYS AND TRAFFIC CONTROL

Chapter	Short title	Extent of repeal
1980 c. 66.	The Highways Act 1980.	Section 90E(3).
1984 c. 27.	The Road Traffic Regulation Act 1984.	Sections 12 and 13.
		In section 26(4)(a), the words "and the commissioner of police of the metropolis", "or him" and "or metropolitan police district".
		Section 27.
		In section 45(1), in the second paragraph, the words "outside Greater London".
		In section 55(4), the word "and" immediately preceding paragraph (d).
		In section 73(1), the words "in their area".
		Section 76.
1985 c. 51.	The Local Government Act 1985.	In Schedule 4, paragraph 53.
		In Schedule 5, paragraph 5.
		In Schedule 5, in paragraph 6, in sub-paragraph (1) the words "Greater London or" and "Greater London or, as the case may be," and paragraph (a), sub-paragraph (2)(b) and the word "and" immediately preceding it, in sub-paragraph (3) the words from the beginning to "(1)(a) above, and", in sub-paragraph (4) the words "a London borough or" and "Greater London or, as the case may be,", in sub-paragraph (6)(a) the words "London borough or" and sub-paragraph (7).

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

		In Schedule 5, in paragraph 7(2), the words "London borough or".
		In Schedule 5, in paragraph 10(1) and (7) the words "Greater London or".
		In Schedule 5, in paragraph 11, the words "London borough or".
		In Schedule 5, in paragraph 12, in sub-paragraph (1) the words "or the Greater London Council", sub-paragraph (2)(b) and the word "and" immediately preceding it, and sub-paragraph (3)(a).
		In Schedule 5, in paragraph 13, in paragraph (c) the words "or London borough" and paragraph (d) and the word "and" immediately preceding it.
1991 c. 40.	The Road Traffic Act 1991.	Sections 50 to 63.
		In section 73(2), the words "and section 74 of this Act".
		Section 80.
		Schedule 5.

PART VII

THE METROPOLITAN POLICE

Commencement Information

I134 Sch. 34 Pt. VII partly in force; Sch. 34 Pt. VII not in force at Royal Assent see s. 425(2); Sch. 34 Pt. VII in force for specified purposes at 1.4.2000 by S.I. 1999/3271, **art. 4(d)**; Sch. 34 Pt. VII in force for specified purposes at 3.7.2000 by S.I. 2000/1648, art. 2, **Sch.**

Chapter	Short title	Extent of repeal
10 Geo. 4 c. 44.	The Metropolitan Police Act 1829.	Section 1.
		Sections 4 and 5.
		Sections 10 to 12.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

		Section 22.
19 & 20 Vict. c. 2.	The Metropolitan Police Act 1856.	Section 2.
		Sections 6 to 8.
24 & 25 Vict. c. 124.	The Metropolitan Police (Receiver) Act 1861.	Section 1
		Section 5.
		Section 9.
30 & 31 Vict. c. 39.	The Metropolitan Police (Receiver) Act 1867.	Section 1.
49 & 50 Vict. c. 22.	The Metropolitan Police Act 1886.	Section 2.
		Section 4.
		Sections 6 and 7.
49 & 50 Vict. c. 38.	The Riot (Damages) Act 1886.	In section 9, in the definition of the expression “compensation authority” paragraph (b) and, in paragraph (c), the word “other”.
50 & 51 Vict. c. 45.	The Metropolitan Police Act 1887.	The whole Act.
58 & 59 Vict. c. 12.	The Metropolitan Police (Receiver) Act 1895.	The whole Act.
60 & 61 Vict. c. 26.	The Metropolitan Police Courts Act 1897.	The whole Act.
60 & 61 Vict. c. 30.	The Police (Property) Act 1897.	In section 2(2B), in paragraph (a), the words “listed in Schedule 1 to the Police Act 1996 or the City of London police area”, and paragraph (b).
62 & 63 Vict. c. 26.	The Metropolitan Police Act 1899.	Section 1.
9 Edw. 7 c. 40.	The Police Act 1909.	Section 1.
26 Geo. 5 & 1 Edw. 8 c. 47.	The Crown Lands Act 1936.	In section 1, the proviso to subsection (4).
		In section 3, in subsection (1), the words “or offices for the metropolitan police” and subsection (2).
2 & 3 Geo. 6 c. xcvii.	The London Building Acts (Amendment) Act 1939.	Section 151(1)(bb).

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

11 & 12 Geo. 6 c. 26.	The Local Government Act 1948.	Section 121.
7 & 8 Eliz. 2 c. 45.	The Metropolitan Magistrates' Courts Act 1959.	In section 4(2), the words ", or of the metropolitan police force,".
1964 c. 42.	The Administration of Justice Act 1964.	In section 38(1), the definition of "the Receiver".
1967 c. 88.	The Leasehold Reform Act 1967.	In section 28(5)(a), the word "and" where second occurring.
1968 c. 27.	The Firearms Act 1968.	In section 57(4), paragraph (b) and the word "or" immediately preceding it.
1972 c. 70.	The Local Government Act 1972.	In section 107(1)(a), the words "other than the Secretary of State".
		In section 146A(1), the word "and" where first occurring.
1974 c. 7.	The Local Government Act 1974.	In section 1(6), paragraph (a) and the words "of the Receiver for the Metropolitan Police District or".
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part III, the entries relating to the offices of Commissioner or Assistant Commissioner of Police of the Metropolis, officer or servant employed under the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District, and Receiver for the Metropolitan Police District.
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	In Schedule 1, in Part III, the entries relating to the offices of Commissioner or Assistant Commissioner of Police of the Metropolis, officer or servant employed under the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District, and Receiver for the Metropolitan Police District.

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

1980 c. 65.	The Local Government, Planning and Land Act 1980.	In section 54, in subsection (1), the words "and the Receiver"; subsection (7)(a); in subsection (9), paragraph (b) and the word "plus" immediately preceding it; in subsection (10) the words "of the Receiver or"; and subsection (11).
1982 c. 36.	The Aviation Security Act 1982.	Section 26(4).
		In section 29(2)(a), the words from "(or," to "metropolis)".
		Section 29(3).
		In section 30(3)(c), the words from "or, if that area is the metropolitan" onwards.
		In section 31(1), the definition of "members of the metropolitan civil staffs".
1982 c. 50.	The Insurance Companies Act 1982.	In Schedule 2, in Part I, in entry number 1, in the third column, the words "or section 2 of the Police (Insurance of Voluntary Assistants) Act 1997".
1984 c. 27.	The Road Traffic Regulation Act 1984.	In section 97, in subsection (1), the words "employed outside the metropolitan police district" and subsection (4).
1984 c. 33.	The Rates Act 1984.	In section 1(4)(a), the words "or by the Receiver for the Metropolitan Police District".
1988 c. 41.	The Local Government Finance Act 1988.	Section 126(5).
1988 c. 52.	The Road Traffic Act 1988.	Section 124(3).
		In section 144(2)(b) the words "or the Receiver for the Metropolitan Police District" and "or employed by the Receiver".
1990 c. 8.	The Town and Country Planning Act 1990.	In section 336(1), in paragraph (a) of the definition of "local authority" the words "(except the

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

		Receiver for the Metropolitan Police District)”.
1994 c. 23.	The Value Added Tax Act 1994.	In section 33(3)(f), the words “and the Receiver for the Metropolitan Police District”.
1996 c. 16.	The Police Act 1996.	In section 1(3), the words “but excluding any part of it within the metropolitan police district”. Section 22(7). Section 25(2). Section 26(7). Section 28(4). In section 29, paragraph (a) and, in paragraph (b), the words “in any other case”. In section 32, in subsection (3)(a), the words “(other than the metropolitan police district)” and subsection (5). In section 33(1)(a), the words “(other than the metropolitan police authority)”. Section 44(5). In section 55(3)(a) and (6), the words “(except where he is himself the police authority)”. In section 65, in the definition of “the appropriate authority”, paragraph (a) and the word “other” in paragraph (b). Section 93(3). In section 95, in the words preceding paragraph (a), the words “the metropolitan police fund and” and “respectively (subject, in the case of the metropolitan police fund, to the approval of the Secretary of State)”, in paragraph (a), the words “the metropolitan police district or” and, in paragraph (b),

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

		the words "the metropolitan police force or". Section 96(3) to (5). In section 101, in the definition of "police fund", paragraph (b). In Schedule 2, paragraphs 4(2), 12 and 26(2). In Schedule 6, in paragraph 2(1)(b), the words from "or" onwards.
1997 c. 45.	The Police (Insurance of Voluntary Assistants) Act 1997.	Sections 2 and 3.
1997 c. 50.	The Police Act 1997.	In section 119(3), the words "or, in the case of the metropolitan police force, the Receiver for the Metropolitan Police District,". In Schedule 1, paragraphs 5, 8(4) and 10(4). In Schedule 3, paragraph 1(6)(b) and the word "or" preceding it. In Schedule 5, paragraph 1(6)(b) and the word "or" preceding it.
1997 c. 65.	The Local Government (Contracts) Act 1997.	Section 1(3)(c).

PART VIII

THE FIRE ETC AUTHORITY

Chapter	Short title	Extent of repeal
1976 c. 57.	The Local Government (Miscellaneous Provisions) Act 1976.	In section 44(1), the word "and" in paragraph (a) of the definition of "local authority".
1980 c. 65.	The Local Government, Planning and Land Act 1980.	In section 98(8A), the word "and" at the end of paragraph (d).
1982 c. 30.	The Local Government (Miscellaneous Provisions) Act 1982.	In section 45(2), the word "and" at the end of each of paragraphs (b) and (bb).

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

1985 c. 51.	The Local Government Act 1985.	Section 27.
		Section 30(2)(a).
		In Schedule 10, Part I.
1985 c. 68.	The Housing Act 1985.	In section 4(e), the word "and" where it occurs after "Police Act 1996".
1985 c. 70.	The Landlord and Tenant Act 1985.	In section 38, in the definition of "local authority", the word "and" immediately preceding "joint authority".
1987 c. 6.	The Local Government Finance Act 1987.	In Schedule 2, in paragraph 6(5), the words "or the London Fire and Civil Defence Authority".
1988 c. 41.	The Local Government Finance Act 1988.	Section 111(2)(h).
1988 c. 50.	The Housing Act 1988.	In section 74(8), the word "and" at the end of paragraph (e).
1989 c. 42.	The Local Government and Housing Act 1989.	In section 152(2), the word "and" at the end of paragraph (l).
1995 c. x.	The London Local Authorities Act 1995.	Section 44.
1996 c. 53.	The Housing Grants, Construction and Regeneration Act 1996.	In section 3(2), the word "or" at the end of paragraph (i).

PART IX

MISCELLANEOUS

Commencement Information

I135 Sch. 34 Pt. IX partly in force; Sch. 34 Pt. IX not in force at Royal Assent see s. 425(2); Sch. 34 Pt. IX in force for specified purposes at 3.7.2000 by S.I. 2000/801, art. 2(2)(c), **Sch. Pt. 3**

Chapter	Short title	Extent of repeal
7 & 8 Vict. c. 60.	The Trafalgar Square Act 1844.	In section 2, the words from "by and out of such Monies" to "by Authority of Parliament".

Changes to legislation: *Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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*

1974 c. 7.	The Local Government Act 1974.	In section 25(1), the word “and” at the end of paragraph (cb).
1985 c. 51.	The Local Government Act 1985.	In section 88, in subsection (1), the words “Greater London or” and subsection (12)(a).
1990 c. 8.	The Town and Country Planning Act 1990.	Section 3.
1994 c. 40.	The Deregulation and Contracting Out Act 1994.	In section 70(1)(b), the word “or” where first occurring.

Changes to legislation:
Greater London Authority Act 1999 is up to date with all changes known to be in force on or before 01 September 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 :

- s. 337 heading substituted by 2023 c. 55 s. 96(1)(a)
- s. 228 heading words substituted by S.I. 2015/1682 Sch. para. 4(n)
- s. 38(1) excluded by 2004 c. 5, s. 15BA (as inserted) by 2023 c. 55 Sch. 7
- s. 41(1)(c) word substituted by 2023 c. 55 s. 96(2)(a)
- s. 43(5)(a) word substituted by 2023 c. 55 s. 96(2)(b)
- s. 54 excluded by 1999 c. 29 s. 73(12)
- s. 64(2)(b) words substituted by 2003 c. 44 Sch. 26 para. 52
- s. 235(3)(ru) omitted by 2024 c. 13 Sch. 30 para. 25(a)
- s. 309E(5)(h) omitted by 2012 c. 7 Sch. 14 para. 76
- s. 334(1) word substituted by 2023 c. 55 s. 96(2)(c)
- s. 336(1) word substituted by 2023 c. 55 s. 96(2)(d)(i)
- s. 336(4) word substituted by 2023 c. 55 s. 96(2)(d)(ii)
- s. 337(1) word substituted by 2023 c. 55 s. 96(1)(b)
- s. 337(2) word substituted by 2023 c. 55 s. 96(1)(d)
- s. 337(4) word substituted by 2023 c. 55 s. 96(1)(e)
- s. 337(5) word substituted by 2023 c. 55 s. 96(1)(f)
- s. 337(6) word substituted by 2023 c. 55 s. 96(1)(g)
- s. 337(6)(a) words repealed by 2011 c. 20 Sch. 8 para. 4Sch. 25 Pt. 16
- s. 337(7) word substituted by 2023 c. 55 s. 96(1)(h)
- s. 337(8) word substituted by 2023 c. 55 s. 96(1)(i)
- s. 337(9) word substituted by 2023 c. 55 s. 96(1)(j)
- s. 338(1) word substituted by 2023 c. 55 s. 96(2)(e)
- s. 338(1) words inserted by 2023 c. 55 Sch. 8 para. 14
- s. 341(1) word substituted by 2023 c. 55 s. 96(2)(f)(i)
- s. 341(2) word substituted by 2023 c. 55 s. 96(2)(f)(ii)
- s. 341(3) word substituted by 2023 c. 55 s. 96(2)(f)(iii)
- s. 342(1)(a) repealed by 2011 c. 20 Sch. 8 para. 5(a)Sch. 25 Pt. 16
- s. 342(1)(b) word repealed by 2011 c. 20 Sch. 8 para. 5(b)Sch. 25 Pt. 16
- s. 343(1)(c) word inserted by 2023 c. 55 s. 96(2)(g)
- s. 346(b) words substituted by 2023 c. 55 Sch. 8 para. 15
- s. 347 words substituted by 2023 c. 55 Sch. 8 para. 16(a)
- s. 347 words substituted by 2023 c. 55 Sch. 8 para. 16(b)
- s. 355(8)(b) word substituted by S.I. 2019/560 reg. 2(2)(a)(i) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 355(8)(b) words substituted by S.I. 2019/560 reg. 2(2)(a)(ii) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 355(8)(c) word substituted by S.I. 2019/560 reg. 2(2)(b) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 356(3A)(b) word substituted by S.I. 2019/560 reg. 2(3)(a) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 356(3A)(b) words substituted by S.I. 2019/560 reg. 2(3)(b) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 358(1A) word substituted by S.I. 2019/560 reg. 2(4)(b) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))

- s. 358(1A)(a) word substituted by S.I. 2019/560 reg. 2(4)(b) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 358(1C) word substituted by S.I. 2019/560 reg. 2(4)(d) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 358(1C)(a) word substituted by S.I. 2019/560 reg. 2(4)(d) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 358(1BA)(a) word substituted by S.I. 2019/560 reg. 2(4)(c)(i) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 358(1BA)(b) word substituted by S.I. 2019/560 reg. 2(4)(c)(ii)(aa) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 358(1BA)(b) words substituted by S.I. 2019/560 reg. 2(4)(c)(ii)(bb) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 358(1ZA)(a) word substituted by S.I. 2019/560 reg. 2(4)(a)(i) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 358(1ZA)(a) words substituted by S.I. 2019/560 reg. 2(4)(a)(ii) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 360(2) words inserted by S.I. 2019/560 reg. 2(5) (This amendment not applied to legislation.gov.uk. Affecting Regulations revoked (20.11.2020) by S.I. 2020/1319, regs. 1(3), 2(a))
- s. 404(1)(b) words substituted by 2011 c. 13 Sch. 16 para. 55
- Sch. 3 para. 11 repealed by 2011 c. 1 Sch. 12 Pt. 1 (This amendment not applied to legislation.gov.uk. Sch. 12 Pt. 1 repealed (8.7.2011) without ever being in force by S.I. 2011/1702, arts. 1, 2(c))
- Sch. 8 para. 67 by 2000 c. 22 Sch. 6
- Sch. 10 para. 2(3A) repealed by 2011 c. 20 Sch. 8 para. 6(a)Sch. 25 Pt. 16
- Sch. 10 para. 2(8) word repealed by 2011 c. 20 Sch. 25 Pt. 16
- Sch. 10 para. 2(8) words repealed by 2011 c. 20 Sch. 8 para. 6(b)Sch. 25 Pt. 16
- Sch. 23 para. 4(3)(a) omitted by 2023 c. 55 s. 244(5)(b)
- Sch. 23 para. 4(3)(aa) omitted by 2023 c. 55 s. 244(5)(b)
- Sch. 23 para. 34B(1) words inserted by 2023 c. 55 s. 244(7)
- Sch. 23 para. 38 words inserted by 2023 c. 55 s. 244(8)(a)
- Sch. 23 para. 38 words inserted by 2023 c. 55 s. 244(8)(b)
- Sch. 23 para. 4(3) words substituted by 2023 c. 55 s. 244(5)(a)
- Sch. 27 para. 95 repealed by 2008 c. 4 Sch. 28 Pt. 8
- Sch. 27 para. 107 repealed by 2008 c. 4 Sch. 28 Pt. 8

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. 235(3)(w) inserted by 2024 c. 13 Sch. 30 para. 25(b)
- s. 334(2A)-(2E) substituted for s. 334(2)-(6) by 2023 c. 55 s. 95(2)
- s. 334(9)-(11) inserted by 2023 c. 55 s. 95(3)
- s. 337(1A) inserted by 2023 c. 55 s. 96(1)(c)
- s. 337(2)(ca) inserted by 2023 c. 55 Sch. 6 para. 15
- Sch. 23 para. 1(3A) inserted by 2023 c. 55 s. 244(2)
- Sch. 23 para. 3A3B and cross-heading inserted by 2023 c. 55 s. 244(3)
- Sch. 23 para. 4(2A)(2B) inserted by 2023 c. 55 s. 244(4)

– Sch. 23 para. 4A and cross-heading inserted by 2023 c. 55 s. 244(6)