



Transport Act 1968

1968 CHAPTER 73

PART II

[^{F1}INTEGRATED TRANSPORT AREAS AND PASSENGER TRANSPORT AREAS]

Designation of [^{F2}Integrated Transport Areas or] Passenger Transport Areas and establishment and functions of Authorities and Executives

10 General powers of Executive. **E+W+N.I.**

- (1) Subject to the provisions of this Act, the Executive for a [^{F3}an integrated transport area ||^{F4}, a combined authority area][^{F5}, a combined county authority area] or [^{F6}passenger transport] area shall have power—
- (i) [^{F7}to carry passengers by road within, to and from that area;]
 - [^{F8}(ia) to carry passengers by railway—
 - (a) where that area is in England, between places in that area, between such places and any place in Great Britain which is outside that area, or between places in Great Britain which are outside that area, or
 - (b) where that area is in Wales or Scotland, between places in that area or between such places and any place outside that area but within the permitted distance, that is to say, the distance of twenty-five miles from the nearest point on the boundary of that area;]
 - (ii) to carry passengers by any [^{F9}form of land transport other than road or railway] or by any form of water transport (including in either case hovercraft) between places in that area or between such places and any place outside that area but within the permitted distance, that is to say, [^{F10}the distance of twenty-five miles from the nearest point on the boundary of that area;]
 - (iii) so far as the Executive consider requisite—
 - (a) in connection with the exercise of their powers under paragraph [^{F11}(i) or][^{F12}(ia)(b) or] (ii) of this subsection, or

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- (b) in order to avoid an interruption of existing services which would otherwise result from an exercise by them of any of their functions under this Part of this Act,
 - to carry passengers as mentioned in the said paragraph [^{F11}(i) or][^{F12}(ia)(b) or] (ii) between places outside that area;
 - (iv) in any vehicle or vessel used for the carriage of passengers in pursuance of paragraph [^{F13}(i),][^{F14}(ia),] (ii) or (iii) of this subsection, or in a trailer drawn by any vehicle so used, to carry also luggage and other goods;
 - (v) to store within that area goods which have been or are to be carried by the Executive, and, so far as any premises provided for the purposes of that or any other part of their business are not required for those purposes, to use them to provide facilities for the storage of other goods;
 - ^{F15}(vi)
 - ^{F15}(viza)
 - [^{F16}(via) with the approval of the Authority, to enter into and carry out agreements with any person who is the operator of, or who has an estate or interest in, or right over, a network, station or light maintenance depot or some part of a network, station or light maintenance depot, in connection with the building, replacement, redevelopment, refurbishment, repair, maintenance, operation or staffing of the network, station or light maintenance depot or any part thereof;]
 - (vii) with the approval of the Authority, to make arrangements with any person providing passenger transport services by air for the provision of such services between places in that area or between such places and places outside that area, and to include in such arrangements provision for the making of payments to that person by the Executive;
 - (viii) [^{F17}to let passenger vehicles on hire (with or without trailers for the carriage of goods)—
 - (a) as part of, or in connection with, an agreement providing for service subsidies, to an operator of public passenger transport services within the meaning of section 9A;
 - (b) to a body holding a permit granted under section 19 of the Transport Act 1985 (permits in relation to the use of vehicles by educational and other bodies);]
 - [^{F18}(viiiia) to let locomotives and other rolling stock on hire to any person who is (within the meaning of Part I of the Railways Act 1993) the franchisee or the franchise operator under a franchise agreement to which the Executive is a party;
 - [
 - ^{F19}(viiiiaa) where that area is in England, to let locomotives and other rolling stock on hire to a person not falling within paragraph (viiiia) for or in connection with the provision of railway passenger services;]
 - (viiiib) [^{F20}where that area is in Wales or Scotland,] to let locomotives and other rolling stock on hire to a person not falling within paragraph (viiiia) above—
 - (a) for or in connection with the provision of railway passenger services within that area or within the permitted distance; or
 - (b) with the written consent of the Secretary of State, for or in connection with the provision of railway passenger services outside that area and beyond the permitted distance;
 - (viiic) with the approval of the Authority, to enter into and carry out agreements with the owner of any locomotive or other rolling stock concerning the persons to whom, or the terms on which, the locomotive or other rolling stock may be let on hire;]

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- (ix) where an undertaking has been—
 - (a) transferred to the Executive under subsection (1) of section 17 of this Act; or
 - (b) wholly or partly resumed by the Executive under subsection (2)(b) of the said section 17; or
 - (c) acquired by the Executive otherwise than under the said section 17, to carry on (but, in a case falling within sub-paragraph (c) of this paragraph, only with the approval of the Authority) any activities which the Executive would not otherwise have power to carry on but which were carried on by that undertaking immediately before the date of that transfer, the date of the disposal which gave rise to that resumption, or the date of that acquisition, as the case may be;
- (x) in places where persons using the services and facilities provided by the Executive may require them, to provide both for those and other persons facilities for the purchase and consumption of food and drink, places of refreshment and such other amenities or facilities as it may appear to the Executive requisite or expedient to provide;
- (xi) at any place where the Executive, in the exercise of their powers under paragraph (x) of this subsection, provide a car park, to repair motor vehicles for any persons, and to sell to any persons petrol, oil and spare parts and accessories for motor vehicles, whether or not those persons are using the car park;
- (xii) to provide interchange facilities for the purpose of enabling passengers travelling by one means of transport to continue their journey by another;
- (xiii) subject to section 15(2) of this Act [^{F21}and section 104(1) of the Transport Act 1985 (travel concessions on services provided by Passenger Transport Executives)], to demand, take and recover or waive such charges for the services and facilities provided by them, and to make the use of those services and facilities subject to such terms and conditions, as they think fit, so, however, that, without prejudice to any other limitation on the power conferred by this paragraph subsisting by virtue of subsection (7) of this section, this paragraph shall not be construed as entitling the Executive to carry passengers by any form of land or water transport on terms or conditions which—
 - (a) purport, whether directly or indirectly, to exclude or limit their liability in respect of the death of, or bodily injury to, any passenger; or
 - (b) purport, whether directly or indirectly, to prescribe the time within which or the manner in which any such liability may be enforced;
- (xiv) to construct, manufacture, produce, purchase, maintain and repair anything required for the purposes of their business;
- (xv) to enter into and carry out agreements with any person for the carrying on by that person, whether as agent for the Executive or otherwise, of any activities which the Executive have power to carry on, and in particular for the provision of combined services for the through carriage of passengers or goods, for the quoting of through rates, and for the pooling of receipts or expenses, to include in any such agreement provision for the making of payments to that person by the Executive, and to enter into any such agreement notwithstanding that it involves the delegation of functions of the Executive under any enactment relating to part of their undertaking;

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- (xvi) with the approval of the Authority^{F22} . . . , to make with any person with whom they have entered into an agreement under paragraph (xv) of this subsection for the carrying on by that person of any activities arrangements for the transfer from the Executive to that person in such manner and on such terms as may be provided for by the arrangements of any part of the undertaking or property of the Executive relevant to the carrying on of those activities;
- (xvii) to acquire by agreement any undertaking or part of an undertaking if the assets comprised in that undertaking or part are wholly or mainly assets which the Executive require for the purposes of their business;
- (xviii) for the purposes of the business of the Executive, to lend money to, or give a guarantee for the benefit of, any person for the purposes of an undertaking carried on by that person, or, where that person is a body corporate, by any undertaking carried on by a subsidiary of that body corporate;
- (xix) for the purposes of the business of the Executive, to form, promote and assist, or join with any other person in forming, promoting and assisting, a company for carrying on any activities which the Executive have power to carry on, and, where that company is a subsidiary of the Executive, to transfer to that company any part of the undertaking or property of the Executive, and to subscribe for or acquire by agreement any securities of any body corporate;
- (xx) to acquire land by agreement—
 - (a) for the purposes of their business; or
 - (b) with the approval of the Authority, for the purpose of adding it to and disposing of it with other contiguous land of theirs of which they propose to dispose;
- (xxi) to develop their land for the purposes of their business in such manner as they may think fit;
- (xxii) with the approval of the Authority—
 - (a) to develop for use by other persons any part of their land which is not required for the purposes of their business; or
 - (b) where the use of their land for the purposes of their business can be combined with its use for other purposes, to develop the land by constructing or adapting buildings thereon for use wholly or partly by other persons; and
 - (c) where they propose to develop any of their land as mentioned in sub-paragraph (a) or (b) of this paragraph, to acquire by agreement adjoining land for the purpose of developing it together with the other land,

with a view to selling or otherwise disposing 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;
- (xxiii) subject, in the case of a disposal of land, to the approval of the Authority, to dispose (whether absolutely or for a terms of years) of any property which in their opinion is not required to be retained by them for the purposes of [F23]their business;], and, in particular, to dispose of an interest in, or right over, any property which, subject to the interest or right, is retained by them;
- (xxiv) to do anything for the purposes of advancing the skill of persons employed by them or the efficiency of their equipment or of the manner in which that equipment is operated, including the provision by the Executive, and the assistance of the provision by others, of facilities for training, education and research;

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- (xxv) to provide houses, hostels and other like accommodation for persons employed by them;
 - (xxvi) to make loans to persons employed by them for the purpose of assisting those persons to acquire housing accommodation, and to guarantee loans made by building societies and other bodies to such persons for that purpose;
 - (xxvii) to invest [^{F24}any sums which are not immediately required by them for the purposes of their business][^{F24}their money];
 - (xxviii) to turn their resources to account [^{F25}so far as not required for the purposes of their business];
 - (xxix) with the approval of the Authority, to promote or oppose any Bill in Parliament;
 - (xxx) to establish and administer pension schemes and pension funds in the interest of persons who are or have been employed by the Executive and to pay pensions to or in respect of such persons, or to enter into and carry into effect agreements or arrangements with any other person for securing or preserving pension rights for such persons;
 - (xxxi) to provide for any person technical advice or assistance, including research services, as respects any matter in which the Executive have skill or experience;
 - (xxxii) to do all other things which in their opinion are necessary to facilitate the proper carrying on of their business.
- (2) For the purposes of paragraphs (v), (x), (xiv) and (xxiv) to (xxvi) of subsection (1) of this section, goods carried by, services and facilities provided by, things required for the purposes of the business of, and persons employed by, a subsidiary of the Executive or, for the purposes of the said paragraphs (v), (x) and (xiv), by a person providing bus services in the area under an agreement with the Executive ^{F26}... shall be deemed to be goods carried by, services and facilities provided by, things required for the purposes of the business of, or persons employed by, that Executive.
- [^{F27}(2A) The reference in subsection (1)(viii) above to an agreement providing for service subsidies includes—
- (a) an agreement for such subsidies under section 9A(4) above;
 - (b) provision included in a quality contract under section 124 of the Transport Act 2000 for the making of payments by the PTE (see subsection (5)(a) of that section).]

(3) If the Authority for [^{F28}an integrated transport area][^{F29}a combined authority area][^{F30}a combined county authority area] or a [^{F6}passenger transport] area so request in writing, the Minister may authorise the Executive for that area to purchase compulsorily any land which the Executive or any wholly-owned subsidiary of theirs require for the purposes of their business, and the ^{M1}[^{F31}Acquisition of Land Act 1981] shall [^{F32}apply to the compulsory purchase].

(4) The power of purchasing land compulsorily in subsection (3) of this section shall include power to acquire an easement or other right in, over or under land by the creation of a new right; but this subsection shall not apply to an easement or other right in, over or under any land which would for the purposes of the [^{F33}Acquisition of Land Act 1981] form part of a common, open space or fuel or field garden allotment.

(5) The Ferries (Acquisition by Local Authorities) ^{M2}Act 1919 shall apply to the Executive for [^{F34}an integrated transport area][^{F35}a combined authority area][^{F36}a combined

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county authority area] or a [^{F6}passenger transport] area as if the Executive were within the meaning of that Act a local authority for that area.

(6) Part I of the Harbours, Piers and Ferries (Scotland) ^{M3}Act 1937 shall apply to the Executive for a [^{F6}passenger transport] area as if that area were a [^{F37}region] and the Executive were the council of that [^{F37}region].

(7) Each of the powers conferred by the foregoing provisions of this section shall be deemed to be in addition to, and not in derogation of, any other of them; but it is hereby declared that those provisions relate only to the capacity of the Executive for a [^{F6}passenger transport] area as a statutory corporation and nothing in those provisions shall be construed as authorising the disregard by the Executive of any enactment or rule of law, or any requirement of this Part of this Act as to the approval of the Authority or the consent of the Minister for a particular exercise of any of those powers.

(8) It shall be the duty of an Executive who have a subsidiary to exercise their control over the subsidiary so as to ensure that the subsidiary does not engage in activities in which the Executive have no power to engage (including activities in which the Executive have no power to engage because any requisite consent or approval has not been obtained).

(9) In the application of subsections (3) and (4) of this section to Scotland there shall be substituted—

- (a) for the references to the ^{M4}[^{F38}Acquisition of Land Act 1981] references to the ^{M5}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947; and
 - (b) for the references to an easement references to a servitude;
- and the reference in the said subsection (4) to a fuel or field garden allotment shall be omitted.

[^{F39}(10) This section applies to [^{F40}each of the authorities within subsection (11)] as if—

- (a) in subsection (1)—
 - (i) in paragraph (xxiii), the words “subject, in the case of a disposal of land, to the approval of the Authority” were omitted, and
 - (ii) any other reference to the approval of the Authority were omitted;
- (b) in subsection (7), the words “the approval of the Authority or” were omitted.]

[^{F41}(11) The authorities referred to in subsection (10) are—

- (a) the West Yorkshire Combined Authority;
- (b) the West Midlands Combined Authority.]

Extent Information

- E1** This version of this provision extends to England and Wales and Northern Ireland only; a separate version has been created for Scotland only.

Textual Amendments

- F3** Words in s. 10(1) inserted (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\), s. 134\(4\), Sch. 4 para. 4](#); [S.I. 2009/107, art. 2\(1\), Sch. 1 Pt. 1](#)
- F4** Words in s. 10(1) inserted (1.4.2014) by [The Combined Authorities \(Consequential Amendments\) Order 2014 \(S.I. 2014/866\), art. 1, Sch. para. 4](#)
- F5** Words in s. 10(1) inserted (E.W.) (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\), s. 255\(2\)\(c\), Sch. 4 para. 10\(2\)](#) (with s. 247)

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- F6** Words “passenger transport” substituted (E.W.S.) for words “designated” by Transport Act 1985 (c. 67, SIF 126), s. 57(6), **Sch. 3 para. 2(a)**
- F7** S. 10(1)(i) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 66(6)(a), 134(4), **Sch. 7 Pt. 3**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F8** S. 10(1)(ia) inserted (1.10.2015) by Deregulation Act 2015 (c. 20), ss. 49(1)(a), 115(7); S.I. 2015/994, art. 11(o)
- F9** Words in s. 10(1)(ii) substituted (1.10.2015) by Deregulation Act 2015 (c. 20), ss. 49(1)(b), 115(7); S.I. 2015/994, art. 11(o)
- F10** Words commencing “the distance of” substituted (E.W.S.) for words commencing “the following distance” by Transport Act 1985 (c. 67, SIF 126), s. 57(6), **Sch. 3 para. 4(a)(i)**
- F11** Words in s. 10(1)(iii) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 7 Pt. 3**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F12** Words in s. 10(1)(iii) inserted (26.3.2015 for specified purposes) by Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 8 para. 2(2)**
- F13** Word in s. 10(1)(iv) repealed (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 7 Pt. 3**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F14** Word in s. 10(1)(iv) inserted (26.3.2015 for specified purposes) by Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 8 para. 2(3)**
- F15** S. 10(1)(vi)(viza) repealed (E.W.S.) (24.7.2005 for E.W.) by Railways Act 2005 (c. 14), ss. 14(1)(a), 60(2), **Sch. 13 Pt. 1** (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2005/1909, art. 2, Sch.
- F16** S. 10(1)(via) inserted (1.4.1994) by 1993 c. 43, s. 36(1); S.I. 1994/571, art. 5
- F17** S. 10(1)(viii) substituted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 66(2), 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F18** S. 10 (1)(viiiia)-(viiic) inserted (E.W.S.) (1.4.1994) by 1993 c. 43, s. 36(2); S.I. 1994/571, art. 5
- F19** S. 10(1)(viiiiaa) inserted (26.3.2015 for specified purposes) by Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 8 para. 2(4)**
- F20** Words in s. 10(1)(viiib) inserted (26.3.2015 for specified purposes) by Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 8 para. 2(5)**
- F21** Words inserted (E.W.S.) by Transport Act 1985 (c. 67, SIF 126), s. 139(2), **Sch. 7 para. 7**
- F22** Words repealed (S.) by Local Government (Scotland) Act 1973 (c. 65, SIF 81:2), **Sch. 29** and (E.W.) by Local Government Act 1974 (c. 7, SIF 81:2), **Sch. 8**
- F23** Words “their business” substituted (E.W.S.) for words commencing “the discharge” by Transport Act 1985 (c. 67, SIF 126), s. 57(6), **Sch. 3 para. 4(a)(ii)**
- F24** Words in s. 10(1)(xxvii) substituted (E.W.) (18.2.2012) by Localism Act 2011 (c. 20), ss. 12(2)(a), 240(2); S.I. 2012/411, art. 2(e)
- F25** Words in s. 10(1)(xxviii) repealed (E.W.) (18.2.2012) by Localism Act 2011 (c. 20), ss. 12(2)(b), 240(2), **Sch. 25 Pt. 3**; S.I. 2012/411, art. 2(e)(g)
- F26** Words repealed (E.W.S.) by Transport Act 1985 (c. 67, SIF 126), ss. 57(6), 139(3), **Sch. 3 para. 4(b)**, Sch. 8
- F27** S. 10(2A) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), ss. 66(3), 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F28** Words in s. 10(3) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 4 para. 4**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F29** Words in s. 10(3) inserted (1.4.2014) by The Combined Authorities (Consequential Amendments) Order 2014 (S.I. 2014/866), art. 1, **Sch. para. 4**
- F30** Words in s. 10(3) inserted (E.W.) (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 10(3)** (with s. 247)
- F31** Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), **Sch. 4 para. 18(2)(a)**
- F32** Words “apply to the compulsory purchase” substituted (E.W.) for words from “apply as if” to “that Act” by Acquisition of Land Act 1981 (c. 67, SIF 28:1), **Sch. 4 para. 18(2)(b)**
- F33** Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), **Sch. 4 para. 18(3)(a)**
- F34** Words in s. 10(5) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 4 para. 4**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

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- F35** Words in s. 10(5) inserted (1.4.2014) by [The Combined Authorities \(Consequential Amendments\) Order 2014 \(S.I. 2014/866\)](#), art. 1, **Sch. para. 4**
- F36** Words in s. 10(5) inserted (E.W.) (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(2)(c), **Sch. 4 para. 10(4)** (with s. 247)
- F37** Word substituted by [Local Government \(Scotland\) Act 1973 \(c. 65, SIF 81:2\)](#), **Sch. 18 para. 2(b)**
- F38** Words substituted by [Acquisition of Land Act 1981 \(c. 67, SIF 28:1\)](#), **Sch. 4 para. 18(2)(b)**
- F39** S. 10(10) inserted (E.W.) (1.4.2014) by [The West Yorkshire Combined Authority Order 2014 \(S.I. 2014/864\)](#), art. 1(2), **Sch. 2 para. 4**
- F40** Words in s. 10(10) substituted (E.W.) (17.6.2016) by [The West Midlands Combined Authority Order 2016 \(S.I. 2016/653\)](#), art. 1(2), **Sch. 2 para. 4(2)**
- F41** S. 10(11) inserted (E.W.) (17.6.2016) by [The West Midlands Combined Authority Order 2016 \(S.I. 2016/653\)](#), art. 1(2), **Sch. 2 para. 4(3)**

Modifications etc. (not altering text)

- C5** S. 10: transfer of functions (S.) (28.11.2005) by [The Transfer of Rail Functions To The Scottish Ministers Order 2005 \(S.S.I. 2005/598\)](#), arts. 1, 3, **sch. 1** (with art. 5)
- C6** S. 10(1)(vi) modified (temp.) (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 8 para. 3**; [S.I. 2015/994](#), art. 11(o)
- C7** S. 10(1)(viza) modified (temp.) (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 8 para. 3**; [S.I. 2015/994](#), art. 11(o)
- C8** S. 10(1)(xiii) restricted (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 104(1)**
- C9** S. 10(1)(xv) restricted (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 82(5)**

Marginal Citations

- M1** [1981 c. 67.\(28:1\).](#)
- M2** [1919 c. 75.](#)
- M3** [1937 c. 28.](#)
- M4** [1981 c. 67.\(28:1\)](#)
- M5** [1947 c. 42\(28:2\)](#)

10 General powers of Executive. S

- (1) Subject to the provisions of this Act, the Executive for a [^{F42}passenger transport] area shall have power—
- (i) to carry passengers by road within, to and from that area;
- [^{F8}(ia) to carry passengers by railway—
- (a) where that area is in England, between places in that area, between such places and any place in Great Britain which is outside that area, or between places in Great Britain which are outside that area, or
- (b) where that area is in Wales or Scotland, between places in that area or between such places and any place outside that area but within the permitted distance, that is to say, the distance of twenty-five miles from the nearest point on the boundary of that area;]
- (ii) to carry passengers by any [^{F9}form of land transport other than road or railway] or by any form of water transport (including in either case hovercraft) between places in that area or between such places and any place outside that area but within the permitted distance, that is to say, [^{F43}the distance of twenty-five miles from the nearest point on the boundary of that area;]
- (iii) so far as the Executive consider requisite—
- (a) in connection with the exercise of their powers under paragraph (i) or [^{F12}(ia)(b) or] (ii) of this subsection, or

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- (b) in order to avoid an interruption of existing services which would otherwise result from an exercise by them of any of their functions under this Part of this Act,
 - to carry passengers as mentioned in the said paragraph (i) or [^{F12}(ia)(b) or] (ii) between places outside that area;
- (iv) in any vehicle or vessel used for the carriage of passengers in pursuance of paragraph (i), [^{F14}(ia),] (ii) or (iii) of this subsection, or in a trailer drawn by any vehicle so used, to carry also luggage and other goods;
- (v) to store within that area goods which have been or are to be carried by the Executive, and, so far as any premises provided for the purposes of that or any other part of their business are not required for those purposes, to use them to provide facilities for the storage of other goods;
- (vi) to make payments to [^{F44}the Strategic Rail Authority or any wholly-owned subsidiary of the Strategic Rail Authority in respect of railway passenger services provided] for meeting the needs of persons travelling within that area or between places in that area and places outside that area but within the permitted distance for the purposes of paragraph (ii) of this subsection;
- (viza) to enter into agreements with the Strategic Rail Authority under which the Executive make payments to the Strategic Rail Authority in respect of the cost incurred by it in securing the provision of a bus substitution service (within the meaning of the ^{M6}Railways Act 1993) between places in that area or between such places and places outside that area but within the permitted distance for the purposes of paragraph (ii) of this subsection;
- [^{F45}(via) with the approval of the Authority, to enter into and carry out agreements with any person who is the operator of, or who has an estate or interest in, or right over, a network, station or light maintenance depot or some part of a network, station or light maintenance depot, in connection with the building, replacement, redevelopment, refurbishment, repair, maintenance, operation or staffing of the network, station or light maintenance depot or any part thereof;]
- (vii) with the approval of the Authority, to make arrangements with any person providing passenger transport services by air for the provision of such services between places in that area or between such places and places outside that area, and to include in such arrangements provision for the making of payments to that person by the Executive;
- (viii) to let passenger vehicles on hire with or without trailers for the carriage of goods;
- [^{F46}(viiiia) to let locomotives and other rolling stock on hire to any person who is (within the meaning of Part I of the Railways Act 1993) the franchisee or the franchise operator under a franchise agreement to which the Executive is a party;
- [^{F19}(viiiiaa) where that area is in England, to let locomotives and other rolling stock on hire to a person not falling within paragraph (viiiia) for or in connection with the provision of railway passenger services;]
- (viiiib) [^{F20}where that area is in Wales or Scotland,] to let locomotives and other rolling stock on hire to a person not falling within paragraph (viiiia) above—
 - (a) for or in connection with the provision of railway passenger services within that area or within the permitted distance; or
 - (b) with the written consent of the Secretary of State, for or in connection with the provision of railway passenger services outside that area and beyond the permitted distance;

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- (viii) with the approval of the Authority, to enter into and carry out agreements with the owner of any locomotive or other rolling stock concerning the persons to whom, or the terms on which, the locomotive or other rolling stock may be let on hire;]
- (ix) where an undertaking has been—
 - (a) transferred to the Executive under subsection (1) of section 17 of this Act; or
 - (b) wholly or partly resumed by the Executive under subsection (2)(b) of the said section 17; or
 - (c) acquired by the Executive otherwise than under the said section 17, to carry on (but, in a case falling within sub-paragraph (c) of this paragraph, only with the approval of the Authority) any activities which the Executive would not otherwise have power to carry on but which were carried on by that undertaking immediately before the date of that transfer, the date of the disposal which gave rise to that resumption, or the date of that acquisition, as the case may be;
- (x) in places where persons using the services and facilities provided by the Executive may require them, to provide both for those and other persons facilities for the purchase and consumption of food and drink, places of refreshment and such other amenities or facilities as it may appear to the Executive requisite or expedient to provide;
- (xi) at any place where the Executive, in the exercise of their powers under paragraph (x) of this subsection, provide a car park, to repair motor vehicles for any persons, and to sell to any persons petrol, oil and spare parts and accessories for motor vehicles, whether or not those persons are using the car park;
- (xii) to provide interchange facilities for the purpose of enabling passengers travelling by one means of transport to continue their journey by another;
- (xiii) subject to section 15(2) of this Act and [^{F47}section 104(1) of the Transport Act 1985 (travel concessions on services provided by Passenger Transport Executives)], to demand, take and recover or waive such charges for the services and facilities provided by them, and to make the use of those services and facilities subject to such terms and conditions, as they think fit, so, however, that, without prejudice to any other limitation on the power conferred by this paragraph subsisting by virtue of subsection (7) of this section, this paragraph shall not be construed as entitling the Executive to carry passengers by any form of land or water transport on terms or conditions which—
 - (a) purport, whether directly or indirectly, to exclude or limit their liability in respect of the death of, or bodily injury to, any passenger; or
 - (b) purport, whether directly or indirectly, to prescribe the time within which or the manner in which any such liability may be enforced;
- (xiv) to construct, manufacture, produce, purchase, maintain and repair anything required for the purposes of their business;
- (xv) to enter into and carry out agreements with any person for the carrying on by that person, whether as agent for the Executive or otherwise, of any activities which the Executive have power to carry on, and in particular for the provision of combined services for the through carriage of passengers or goods, for the quoting of through rates, and for the pooling of receipts or expenses, to include

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in any such agreement provision for the making of payments to that person by the Executive, and to enter into any such agreement notwithstanding that it involves the delegation of functions of the Executive under any enactment relating to part of their undertaking;

- (xvi) with the approval of the Authority^{F48} . . ., to make with any person with whom they have entered into an agreement under paragraph (xv) of this subsection for the carrying on by that person of any activities arrangements for the transfer from the Executive to that person in such manner and on such terms as may be provided for by the arrangements of any part of the undertaking or property of the Executive relevant to the carrying on of those activities;
- (xvii) to acquire by agreement any undertaking or part of an undertaking if the assets comprised in that undertaking or part are wholly or mainly assets which the Executive require for the purposes of their business;
- (xviii) for the purposes of the business of the Executive, to lend money to, or give a guarantee for the benefit of, any person for the purposes of an undertaking carried on by that person, or, where that person is a body corporate, by any undertaking carried on by a subsidiary of that body corporate;
- (xix) for the purposes of the business of the Executive, to form, promote and assist, or join with any other person in forming, promoting and assisting, a company for carrying on any activities which the Executive have power to carry on, and, where that company is a subsidiary of the Executive, to transfer to that company any part of the undertaking or property of the Executive, and to subscribe for or acquire by agreement any securities of any body corporate;
- (xx) to acquire land by agreement—
 - (a) for the purposes of their business; or
 - (b) with the approval of the Authority, for the purpose of adding it to and disposing of it with other contiguous land of theirs of which they propose to dispose;
- (xxi) to develop their land for the purposes of their business in such manner as they may think fit;
- (xxii) with the approval of the Authority—
 - (a) to develop for use by other persons any part of their land which is not required for the purposes of their business; or
 - (b) where the use of their land for the purposes of their business can be combined with its use for other purposes, to develop the land by constructing or adapting buildings thereon for use wholly or partly by other persons; and
 - (c) where they propose to develop any of their land as mentioned in sub-paragraph (a) or (b) of this paragraph, to acquire by agreement adjoining land for the purpose of developing it together with the other land,
with a view to selling or otherwise disposing 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;
- (xxiii) subject, in the case of a disposal of land, to the approval of the Authority, to dispose (whether absolutely or for a terms of years) of any property which in their opinion is not required to be retained by them for the purposes of [F49]their business;], and, in particular, to dispose of an interest in, or right over, any property which, subject to the interest or right, is retained by them;

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- (xxiv) to do anything for the purposes of advancing the skill of persons employed by them or the efficiency of their equipment or of the manner in which that equipment is operated, including the provision by the Executive, and the assistance of the provision by others, of facilities for training, education and research;
 - (xxv) to provide houses, hostels and other like accommodation for persons employed by them;
 - (xxvi) to make loans to persons employed by them for the purpose of assisting those persons to acquire housing accommodation, and to guarantee loans made by building societies and other bodies to such persons for that purpose;
 - (xxvii) to invest any sums which are not immediately required by them for the purposes of their business;
 - (xxviii) to turn their resources to account so far as not required for the purposes of their business;
 - (xxix) with the approval of the Authority, to promote or oppose any Bill in Parliament;
 - (xxx) to establish and administer pension schemes and pension funds in the interest of persons who are or have been employed by the Executive and to pay pensions to or in respect of such persons, or to enter into and carry into effect agreements or arrangements with any other person for securing or preserving pension rights for such persons;
 - (xxxi) to provide for any person technical advice or assistance, including research services, as respects any matter in which the Executive have skill or experience;
 - (xxxii) to do all other things which in their opinion are necessary to facilitate the proper carrying on of their business.
- (2) For the purposes of paragraphs (v), (x), (xiv) and (xxiv) to (xxvi) of subsection (1) of this section, goods carried by, services and facilities provided by, things required for the purposes of the business of, and persons employed by, a subsidiary of the Executive or, for the purposes of the said paragraphs (v), (x) and (xiv), by a person providing bus services in the area under an agreement with the Executive^{F50} . . . shall be deemed to be goods carried by, services and facilities provided by, things required for the purposes of the business of, or persons employed by, that Executive.
- (3) If the Authority for a [^{F42}passenger transport] area so request in writing, the Minister may authorise the Executive for that area to purchase compulsorily any land which the Executive or any wholly-owned subsidiary of theirs require for the purposes of their business, and the ^{M7}[^{F51}Acquisition of Land Act 1981] shall apply as if the Executive were a local authority within the meaning of that Act, and as if this Act had been in force immediately before the commencement of that Act.
- (4) The power of purchasing land compulsorily in subsection (3) of this section shall include power to acquire an easement or other right in, over or under land by the creation of a new right; but this subsection shall not apply to an easement or other right in, over or under any land which would for the purposes of the [^{F52}Acquisition of Land Act 1981] form part of a common, open space or fuel or field garden allotment.
- (5) The Ferries (Acquisition by Local Authorities)^{M8} Act 1919 shall apply to the Executive for a [^{F42}passenger transport] area as if the Executive were within the meaning of that Act a local authority for that area.

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- (6) Part I of the Harbours, Piers and Ferries (Scotland) ^{M9}Act 1937 shall apply to the Executive for a [^{F42}passenger transport] area as if [^{F53}the Executive were within the meaning of that Act a local authority for that area].
- (7) Each of the powers conferred by the foregoing provisions of this section shall be deemed to be in addition to, and not in derogation of, any other of them; but it is hereby declared that those provisions relate only to the capacity of the Executive for a [^{F42}passenger transport] area as a statutory corporation and nothing in those provisions shall be construed as authorising the disregard by the Executive of any enactment or rule of law, or any requirement of this Part of this Act as to the approval of the Authority or the consent of the Minister for a particular exercise of any of those powers.
- (8) It shall be the duty of an Executive who have a subsidiary to exercise their control over the subsidiary so as to ensure that the subsidiary does not engage in activities in which the Executive have no power to engage (including activities in which the Executive have no power to engage because any requisite consent or approval has not been obtained).
- (9) In the application of subsections (3) and (4) of this section to Scotland there shall be substituted—
- for the references to the ^{M10}[^{F54}Acquisition of Land Act 1981] references to the ^{M11}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947; and
 - for the references to an easement references to a servitude;
- and the reference in the said subsection (4) to a fuel or field garden allotment shall be omitted.

Extent Information

- E2** This version of this provision extends to Scotland only; separate versions have been created for England and Wales only and Northern Ireland only.

Textual Amendments

- F8** S. 10(1)(ia) inserted (1.10.2015) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 49(1)(a)**, 115(7); S.I. 2015/994, art. 11(o)
- F9** Words in s. 10(1)(ii) substituted (1.10.2015) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 49(1)(b)**, 115(7); S.I. 2015/994, art. 11(o)
- F12** Words in s. 10(1)(iii) inserted (26.3.2015 for specified purposes) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 8 para. 2(2)**
- F14** Word in s. 10(1)(iv) inserted (26.3.2015 for specified purposes) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 8 para. 2(3)**
- F19** S. 10(1)(viiiia) inserted (26.3.2015 for specified purposes) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 8 para. 2(4)**
- F20** Words in s. 10(1)(viiiib) inserted (26.3.2015 for specified purposes) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 8 para. 2(5)**
- F42** Words “passenger transport” substituted (E.W.S.) for words “designated” by [Transport Act 1985 \(c. 67\)](#), **SIF 126**, s. 57(6), **Sch. 3 para. 2(a)**
- F43** Words commencing “the distance of” substituted (E.W.S.) for words commencing “the following distance” by [Transport Act 1985 \(c. 67\)](#), **SIF 126** s. 57(6), **Sch. 3 para. 4(a)(i)**
- F44** Words in s. 10(1)(vi) substituted (1.2.2001) by [2000 c. 38](#), s. 252, **Sch. 27 para. 3(2)**; S.I. 2001/57, art. 3, **Sch. 2 Pt. I** (subject to transitional provision and saving in [Sch. 2 Pt. II](#))
- F45** S. 10(1)(via) inserted (1.4.1994) by [1993 c. 43](#), **s. 36(1)**; S.I. 1994/571, **art. 5**

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- F46** S. 10(1)(viiiia)-(viiic) inserted (1.4.1994) by 1993 c. 43, **s. 36(2)**; S.I. 1994/571, **art. 5**
- F47** Words inserted (E.W.S) by Transport Act 1985 (c. 67, SIF 126), s. 139(2), **Sch. 7 para. 7**
- F48** Words repealed (S.) by Local Government (Scotland) Act 1973 (c. 65, SIF 81:2), **Sch. 29** and (E.W.) by Local Government Act 1974 (c. 7, SIF 81:2), **Sch. 8**
- F49** Words “their business” substituted (E.W.S.) for words commencing “the discharge” by Transport Act 1985 (c. 67, SIF 126), s. 57(6), **Sch. 3 para. 4(a)(ii)**
- F50** Words repealed (E.W.S) by Transport Act 1985 (c. 67, SIF 126), ss. 57(6), 139(3), **Sch. 3 para. 4(b)**, Sch. 8
- F51** Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), **Sch. 4 para. 18(2)(a)**
- F52** Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), **Sch. 4 para. 18(3)(a)**
- F53** Words in s. 10(6) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 80(5)**; S.I. 1996/323, **art. 4(1)(b)(c)**
- F54** Words substituted by Acquisition of Land Act 1981 (c. 67, SIF 28:1), **Sch. 4 para. 18(2)(b)**

Modifications etc. (not altering text)

- C5** S. 10: transfer of functions (S.) (28.11.2005) by The Transfer of Rail Functions To The Scottish Ministers Order 2005 (S.S.I. 2005/598), arts. 1, 3, **sch. 1** (with art. 5)
- C6** S. 10(1)(vi) modified (temp.) (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 8 para. 3**; S.I. 2015/994, art. 11(o)
- C7** S. 10(1)(viza) modified (temp.) (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by Deregulation Act 2015 (c. 20), s. 115(2)(e), **Sch. 8 para. 3**; S.I. 2015/994, art. 11(o)
- C10** S. 10 modified (28.11.2005) by The Transfer of Rail Functions To The Scottish Ministers Order 2005 (S.I. 2005/598), art. 4, **Sch. 2 para. 1**
- C11** Power to exclude s. 10(1)(i) conferred (E.W.S.) by Transport Act 1985 (c. 67, SIF 126), **s. 60(5)**
- C12** Power to repeal s. 10(1)(i) conferred (E.W.S.) by Transport Act 1985 (c. 67, SIF 126), **s. 60(7)(8)**
- C13** Power to exclude s. 10(1)(viii) conferred (E.W.S.) by Transport Act 1985 (c. 67, SIF 126), **s. 60(5)**
- C14** Power to repeal s. 10(1)(viii) conferred (E.W.S.) by Transport Act 1985 (c. 67, SIF 126), **s. 60(7)(8)**
- C15** S. 10(1)(xiii) restricted (E.W.S.) by Transport Act 1985 (c. 67, SIF 126), **s. 104(1)**
- C16** S. 10(1)(xv) restricted (E.W.S.) by Transport Act 1985 (c. 67, SIF 126), **s. 82(5)**

Marginal Citations

- M6** 1993 c. 43.
- M7** 1981 c. 67.(28:1).
- M8** 1919 c. 75.
- M9** 1937 c. 28.
- M10** 1981 c. 67.(28:1)
- M11** 1947 c. 42(28:2)

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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. 9(1)(b)(ib) omitted by [S.I. 2024/402 Sch. 2 para. 1\(b\)](#)
- s. 9(1)(b)(ia) words omitted by [S.I. 2024/402 Sch. 2 para. 1\(a\)](#)
- s. 9(1)(c)(ie) substituted by [S.I. 2024/402 Sch. 2 para. 1\(c\)](#)
- s. 97(1)(a)(i) words inserted by [S.I. 2019/453 reg. 35\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Reg. 35(2) substituted (24.10.2019) by S.I. 2019/1379, regs. 1, 8(a))
- s. 97(1)(a)(ii) words substituted by [S.I. 2019/453 reg. 35\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Reg. 35(2) substituted (24.10.2019) by S.I. 2019/1379, regs. 1, 8(a))