



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

[^{F3}9A [^{F4}General functions of Authorities and Executives.] **E+W**]

^{F5}(1)

^{F5}(2)

[It shall be the duty of the Executive for each [^{F7}integrated transport area][^{F8}, combined ^{F6}(3) authority area][^{F9}, combined county authority area] or passenger transport area in England to secure the provision of such public passenger transport services as the Authority for the area consider it appropriate for the Executive to secure for meeting any public transport requirements within the area which in the Authority's view would not be met apart from any action taken by the Executive for that purpose.

(3A) The Authority shall seek and have regard to the advice of the Executive for their area in determining which services it would be appropriate for the Executive to secure under subsection (3) of this section.]

(4) The Executive shall have power to enter into an agreement providing for service subsidies for the purpose of securing the provision of any service under subsection (3) of this section; but their power to do so—

- (a) shall be exercisable only where the service in question would not be provided [^{F10}, or would not be provided to a particular standard,] without subsidy; and
- (b) is subject to sections 89 to 92 of the Transport Act 1985 (tendering for local services, etc.).

[The reference in subsection (4)(a) of this section to the standard to which a service ^{F11}(4A) is provided includes—

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- (a) the frequency or timing of the service;
 - (b) the days, or times of day, when the service is provided;
 - (c) the vehicles used to provide the service.]
- (5) Where it appears to the Authority for any [F7: integrated transport area][F12, combined authority area][F13, combined county authority area] or passenger transport area that it would be appropriate for the Executive for that area to take any measures for the purpose of or in connection with promoting, so far as relates to that area—
- (a) the availability of public passenger transport services other than subsidised services and the operation of such services, in conjunction with each other and with any available subsidised services, so as to meet any public transport requirements the Authority consider it appropriate to meet; or
 - (b) the convenience of the public (including persons who are elderly or disabled) in using all available public passenger transport services (whether subsidised or not);

the Authority may from time to time formulate general policies with respect to the description of such measures to be taken by the Executive for that area, and the Executive shall take such measures for the purpose or in the connection mentioned above as appear to them to be appropriate for carrying out those policies.

- (6) It shall be the duty—
- (a) of the Authority for any [F7: integrated transport area][F14, combined authority area][F15, combined county authority area] or passenger transport area, in formulating any such policies; and
 - (b) of the Executive for any [F7: integrated transport area][F16, combined authority area][F17, combined county authority area] or passenger transport area, in carrying out any such policies;

[F18: to have regard to a combination of economy, efficiency and effectiveness.]

- (7) It shall be the duty both of the Authority and of the Executive for any [F7: integrated transport area][F19, combined authority area][F20, combined county authority area] or passenger transport area, in exercising or performing any of their functions under the preceding provisions of this section, to have regard to the transport needs of members of the public who are elderly or disabled F21....

- (8) No person who is for the time being—
- (a) the operator of any public passenger transport services;
 - (b) a director of any company or (as the case may be) an employee of any company or other person who is such an operator;
 - (c) a director or employee of any company which is a member of a group of interconnected bodies corporate any one or more of which is such an operator;
 - (d) in Scotland, a partner or (as the case may be) an employee of a partner of such an operator;

shall be appointed as a member, officer or servant of the Executive for any [F7: integrated transport area][F22, combined authority area][F23, combined county authority area] or passenger transport area; and any person so appointed who subsequently becomes such an operator, director, partner or employee shall immediately vacate his membership of the Executive, or (as the case may be) his office or employment with the Executive.

- (9) References in subsection (5) above to subsidised services are references to services provided under an agreement providing for service subsidies entered into—

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- (a) by the Executive for the area in question or for any other area under subsection (4) of this section; or
 - (b) by any non-metropolitan county or district council in England and Wales or by any regional or islands council in Scotland under section 63 of the Transport Act 1985.
- (10) For the purposes of subsection (8) above, any two bodies corporate are to be treated as inter-connected if one of them is a body corporate of which the other is a subsidiary or if both of them are subsidiaries of the same body corporate; and in that subsection “group of interconnected bodies corporate” means a group consisting of two or more bodies corporate all of which are interconnected with each other in the sense given above.
- (11) In this section and section 9B of this Act “public passenger transport services” has the same meaning as in the Transport Act 1985; and—
- (a) references in this section to agreements providing for service subsidies; and
 - (b) references in this section and that section to the operator of, or to persons operating, any public passenger transport services;
- shall be read as if contained in that Act.

[This section applies to ^{F25}each of the authorities within subsection (13)] as if—

- ^{F24}(12) (a) the duty under subsection (3) were a duty for the Authority to secure the provision of such public passenger transport services as it considers appropriate for meeting any public transport requirements within its area which in the view of the Authority would not be met apart from any action taken by it for that purpose;
- (b) subsection (3A) were omitted;
 - (c) in subsection (5)—
 - (i) the words “for the Executive of that area” were omitted;
 - (ii) for the words “by the Executive for that area, and the Executive” there were substituted “and”;
 - (d) in subsections (6) and (7), the references to the Executive were omitted.]

[The authorities referred to in subsection (12) are—

- ^{F26}(13) (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 only; a separate version has been created for Scotland and Northern Ireland only

Textual Amendments

- F3** Ss. 9A, 9B inserted (with savings for s. 9A(8) by [Transport Act 1985 \(c. 67, SIF 126\)](#), [s. 57\(2\)\(5\)](#))
- F4** S. 9A heading substituted (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), [s. 134\(4\)](#), [Sch. 4 para. 3\(3\)](#); S.I. 2009/107, [art. 2\(1\)](#), [Sch. 1 Pt. 1](#)
- F5** S. 9A(1)(2) repealed (1.2.2001 (E.) and omitted 1.8.2001 (W.) and repealed 14.8.2002 (W.)) by [2000 c. 38](#), [ss. 161, 274](#), [Sch. 11 para. 3\(2\)](#), [Sch. 31 Pt. II](#); S.I. 2001/57, [art. 3](#), [Sch. 3 Pt. I](#) (subject to savings in [Sch. 3 Pt. II](#)); S.I. 2001/2788, [art. 2](#), [Sch. 1 para. 11](#); S.I. 2002/2024, [art. 2](#)
- F6** S. 9A(3)(3A) substituted (1.2.2001 (E.) and 1.8.2001 (W.)) for s. 9A(3) by [2000 c. 38](#), [ss. 161, 275\(1\)](#), [Sch. 11 para. 3\(3\)](#); S.I. 2001/57, [art. 3](#), [Sch. 3 Pt. I](#) (subject to savings in [Sch. 3 Pt. II](#)); S.I. 2001/2788, [art. 2](#), [Sch. 1 para. 11](#)

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- F7** Words in s. 9A inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), s. 134(4), **Sch. 4 para. 3(2)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F8** Words in s. 9A(3) inserted (1.4.2014) by The Combined Authorities (Consequential Amendments) Order 2014 (S.I. 2014/866), art. 1, **Sch. para. 3**
- F9** Words in s. 9A(3) inserted (E.W.) (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 9** (with s. 247)
- F10** Words in s. 9A(4)(a) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 67(2)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F11** S. 9A(4A) inserted (E.W.) (9.2.2009) by Local Transport Act 2008 (c. 26), **ss. 67(3)**, 134(4); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F12** Words in s. 9A(5) inserted (1.4.2014) by The Combined Authorities (Consequential Amendments) Order 2014 (S.I. 2014/866), art. 1, **Sch. para. 3**
- F13** Words in s. 9A(5) inserted (E.W.) (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 9** (with s. 247)
- F14** Words in s. 9A(6)(a) inserted (1.4.2014) by The Combined Authorities (Consequential Amendments) Order 2014 (S.I. 2014/866), art. 1, **Sch. para. 3**
- F15** Words in s. 9A(6)(a) inserted (E.W.) (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 9** (with s. 247)
- F16** Words in s. 9A(6)(b) inserted (1.4.2014) by The Combined Authorities (Consequential Amendments) Order 2014 (S.I. 2014/866), art. 1, **Sch. para. 3**
- F17** Words in s. 9A(6)(b) inserted (E.W.) (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 9** (with s. 247)
- F18** Words in s. 9A(6) substituted (1.2.2001 for E and 1.8.2001 for W.) by 2000 c. 38, **ss. 161**, 275(1), **Sch. 11 para. 3(4)**; S.I. 2001/57, art. 3, **Sch. 3 Pt. I** (subject to savings in Sch. 3 Pt. II); S.I. 2001/2788, art. 2, **Sch. 1 para. 11**
- F19** Words in s. 9A(7) inserted (1.4.2014) by The Combined Authorities (Consequential Amendments) Order 2014 (S.I. 2014/866), art. 1, **Sch. para. 3**
- F20** Words in s. 9A(7) inserted (E.W.) (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 9** (with s. 247)
- F21** Words in s. 9A(7) repealed (E.W.) (9.2.2009 for E., 1.4.2009 for W.) by Local Transport Act 2008 (c. 26), **ss. 10(8)**, 134(4), **Sch. 7 Pt. 1**; S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1 (with Sch. 2 para. 2); S.I. 2009/579, art. 2(b) (with Sch. para. 1)
- F22** Words in s. 9A(8) inserted (1.4.2014) by The Combined Authorities (Consequential Amendments) Order 2014 (S.I. 2014/866), art. 1, **Sch. para. 3**
- F23** Words in s. 9A(8) inserted (E.W.) (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), s. 255(2)(c), **Sch. 4 para. 9** (with s. 247)
- F24** S. 9A(12) inserted (1.4.2014) by The West Yorkshire Combined Authority Order 2014 (S.I. 2014/864), art. 1(2), **Sch. 2 para. 3**
- F25** Words in s. 9A(12) substituted (E.W.) (17.6.2016) by The West Midlands Combined Authority Order 2016 (S.I. 2016/653), art. 1(2), **Sch. 2 para. 3(2)**
- F26** S. 9A(13) inserted (E.W.) (17.6.2016) by The West Midlands Combined Authority Order 2016 (S.I. 2016/653), art. 1(2), **Sch. 2 para. 3(3)**

Modifications etc. (not altering text)

- C5** S. 9A excluded (24.12.1993) by 1993 c. 43, **ss. 144(1)**, 150(1)(j); S.I. 1993/3237, **art. 2(1)**
- C6** S. 9A(8) excluded (18.2.1993) by 1989 c. xix, **s. 28(7)** (as inserted by 1993 c. ii, **s. 14**)

[^{F27}9A General functions of Passenger Transport Authorities and Executives. S+N.I.]

- (1) It shall be the duty of the Authority for any passenger transport area to formulate from time to time general policies with respect to the descriptions of public passenger transport services they consider it appropriate for the Executive for their area to secure

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for the purpose of meeting any public transport requirements within their area which in the view of the Authority would not be met apart from any action taken by the Executive for that purpose.

- (2) The Authority shall seek and have regard to the advice of the Executive for their area in formulating their policies under subsection (1) of this section.
- (3) It shall be the duty of the Executive for any passenger transport area to secure the provision of such public passenger transport services as they consider it appropriate to secure for meeting any public transport requirements within their area in accordance with policies formulated by the Authority for their area under subsection (1) of this section.
- (4) The Executive shall have power to enter into an agreement providing for service subsidies for the purpose of securing the provision of any service under subsection (3) of this section; but their power to do so—
 - (a) shall be exercisable only where the service in question would not be provided without subsidy; and
 - (b) is subject to ^[F28]sections 89 to ^[F28]section 92 of the Transport Act 1985 (tendering for local services, etc.).
- (5) Where it appears to the Authority for any passenger transport area that it would be appropriate for the Executive for that area to take any measures for the purpose of or in connection with promoting, so far as relates to that area—
 - (a) the availability of public passenger transport services other than subsidised services and the operation of such services, in conjunction with each other and with any available subsidised services, so as to meet any public transport requirements the Authority consider it appropriate to meet; or
 - (b) the convenience of the public (including persons who are elderly or disabled) in using all available public passenger transport services (whether subsidised or not);

the Authority may from time to time formulate general policies with respect to the description of such measures to be taken by the Executive for that area, and the Executive shall take such measures for the purpose or in the connection mentioned above as appear to them to be appropriate for carrying out those policies.

- (6) It shall be the duty—
 - (a) of the Authority for any passenger transport area, in formulating any such policies; and
 - (b) of the Executive for any passenger transport area, in carrying out any such policies;

so to conduct themselves as not to inhibit competition between persons providing or seeking to provide public passenger transport services in their area.

- (7) It shall be the duty both of the Authority and of the Executive for any passenger transport area, in exercising or performing any of their functions under the preceding provisions of this section, to have regard to the transport needs of members of the public who are elderly or disabled.
- (8) No person who is for the time being—
 - (a) the operator of any public passenger transport services;
 - (b) a director of any company or (as the case may be) an employee of any company or other person who is such an operator;

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- (c) a director or employee of any company which is a member of a group of inter-connected bodies corporate any one or more of which is such an operator;
- (d) in Scotland, a partner or (as the case may be) an employee of a partner of such an operator;

shall be appointed as a member, officer or servant of the Executive for any passenger transport area; and any person so appointed who subsequently becomes such an operator, director, partner or employee shall immediately vacate his membership of the Executive, or (as the case may be) his office or employment with the Executive.

- (9) References in subsection (5) above to subsidised services are references to services provided under an agreement providing for service subsidies entered into—
- (a) by the Executive for the area in question or for any other area under subsection (4) of this section; or
 - (b) by any non-metropolitan county or district council in England and Wales or by any [^{F29}regional or islands] council in Scotland under section 63 of the Transport Act 1985.
- (10) For the purposes of subsection (8) above, any two bodies corporate are to be treated as inter-connected if one of them is a body corporate of which the other is a subsidiary or if both of them are subsidiaries of the same body corporate; and in that subsection “group of interconnected bodies corporate” means a group consisting of two or more bodies corporate all of which are interconnected with each other in the sense given above.
- (11) In this section and section 9B of this Act “public passenger transport services” has the same meaning as in the Transport Act 1985; and—
- (a) references in this section to agreements providing for service subsidies; and
 - (b) references in this section and that section to the operator of, or to persons operating, any public passenger transport services;
- shall be read as if contained in that Act.]

Extent Information

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

Textual Amendments

- F27** Ss. 9A, 9B inserted (with savings for s. 9A(8) by [Transport Act 1985 \(c. 67, SIF 126\)](#), [s. 57\(2\)\(5\)](#))
- F28** Word in s. 9A(4)(b) substituted (S.) (1.4.2003) by [Local Government in Scotland Act 2003 \(asp 1\)](#), [ss. 60\(2\)](#), [62\(2\)](#); [S.S.I. 2003/134](#), [art. 2\(1\)](#), [sch.](#)
- F29** Words in s. 9A(9)(b) repealed (S.) (1.4.1996) by [1994 c. 39](#), [s. 180\(1\)\(2\)](#), [Sch. 13 para. 80\(3\)](#), [Sch. 14](#); [S.I. 1996/323](#), [art. 4\(1\)\(b\)\(c\)](#)

Modifications etc. (not altering text)

- C7** S. 9A excluded (24.12.1993) by [1993 c. 43](#), [ss. 144\(1\)](#), [150\(1\)\(j\)](#); [S.I. 1993/3237](#), [art. 2\(1\)](#)
- C8** S. 9A(8) excluded (18.2.1993) by [1989 c. xix](#), [s. 28\(7\)](#) (as inserted by [1993 c. ii](#), [s. 14](#))

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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))