



Transport Act 1983

1983 CHAPTER 10

PART I

TRANSPORT EXECUTIVES

Financial provisions

2 Financial duty of Executives

- (1) An Executive shall so perform their functions as to ensure so far as practicable that the combined revenues of the Executive and any subsidiaries of theirs for any accounting period are not less than sufficient to meet their combined charges properly chargeable to revenue account in that period.
- (2) If in the case of any accounting period it is not practicable for an Executive to ensure that those revenues are sufficient to meet those charges, subsection (1) above shall have effect in relation to the next following accounting period as if the combined charges there referred to included an amount equal to the amount of the deficit.
- (3) For the purposes of this section there shall be disregarded any deficit or potential deficit in an accounting period to the extent to which it is or is to be covered by the appropriation of any reserves of the Executive available for the purpose if the appropriation of those reserves for that purpose has been proposed by the Executive in a plan prepared by them under section 3 below and approved by the Authority under section 4 below.
- (4) An Authority in exercising or performing any of their functions under this Part of this Act, [^{F1}or under Part II of the Act of 1968] shall have regard to the duty imposed on an Executive by this section.
- (5) In this section “subsidiary” has the meaning given by section 92(1) of the ^{M1}Transport Act 1962, . . . ^{F2}

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Transport Act 1983, Cross Heading: Financial provisions. (See end of Document for details)

Textual Amendments

- F1 Words substituted by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), **s. 71(3)(a)**, Sch. 6 para. 29(a)
- F2 Words repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), **s. 71(3)(a)(b)**, Sch. 6 para. 29(b), Sch. 7

Marginal Citations

- M1 [1962 c. 46.](#)

3 Preparation and submission of financial plans

- (1) It shall be the duty of an Executive in each year to prepare in accordance with this section and submit to the Authority a plan containing their proposals for the next three years (“the relevant period”) with respect to—
 - (a) the general level of transport services and facilities to be provided by them or, by agreement with them, by other persons; . . . ^{F3}
 - (b) the general level and structure of the fares to be charged for those services, and the general level of charges to be made for those facilities, so far as they are to be charged, made or otherwise determined by the Executive [^{F4}and
 - (c) the general level and structure of travel concessions (meaning reductions or waivers of fares) to be provided in the relevant period under any scheme established by the Authority under section 93 of the Transport Act 1985 (whether alone or jointly with any local authority within the meaning of that section).]
- (2) The proposals shall be such as to enable the Executive to discharge their duty under section 2 above in the relevant period; and the plan shall contain particulars of the Executive’s financial position and their financial prospects for that period together with an estimate of what would be their annual revenue and expenditure if the proposals were implemented.
- (3) To the extent to which the Executive consider it necessary for the discharge of their [^{F5}duty under section 9A(3)] of the Act of 1968 [^{F6}or for carrying out their functions with respect to the administration of any such scheme as is mentioned in subsection (1) (c) above] . . . ^{F7}, the plan may be formulated on the assumption that the Authority will in the relevant period make revenue grants of such amounts as the Executive may determine; but if the plan is formulated on that assumption it shall be accompanied by particulars showing the benefits expected to accrue from the grants.
- (4) The plan shall be accompanied by estimates of—
 - (a) the cost to the Executive of providing, or arranging the provision of, the services and facilities described in the proposals;
 - (b) the level of demand for those services and facilities; . . . ^{F8}
 - (c) the benefits to potential users of those services and facilities [^{F9}and
 - (d) the cost to the Executive of reimbursing persons providing travel concessions under any such scheme as is mentioned in subsection (1)(c) above.]
- (5) ^{F10}

Status: Point in time view as at 01/02/1991.

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Textual Amendments

- F3** Word repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), ss. 102(1), 139(3), **Sch. 8**
- F4** “and” and s. 3(1)(c) added by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 102(1)(a)**
- F5** Words substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 57(6), **Sch. 3 para. 31**
- F6** Words inserted by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 102(1)**
- F7** Words repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), **s. 71(3)(b)**, Sch. 7
- F8** Word repealed by [Transport Act 1985 \(c.67, SIF 126\)](#), ss. 102(1), 139(3), **Sch. 8**
- F9** “and” and s. 3(4)(d) added by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 102(1)(c)**
- F10** **S. 3(5)** repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), ss. 39, 102, Sch. 12 para. 5(3)(5), **Sch. 17**

4 Approval of financial plans and determination of revenue grants.

- (1) An Authority shall in each year approve with or without modification the plan submitted to them in that year under section 3 above and, in the light of the provisions of the plan as so approved, determine the amount of the revenue grants, if any, to be made by them to the Executive in the first year of the relevant period.
- (2) For the purposes of this section the Authority may require the Executive to supply them with—
 - (a) alternative proposals based on different levels of services, facilities, fares or other charges, or on the assumption that the Authority will in the relevant period make revenue grants of such amounts as the Authority may specify;
 - (b) estimates of the extent to which particular benefits, specified by the Authority, would accrue to the public at large, or to any section of the public so specified, as a result of the making of any such grants as are mentioned in section 3(3) or (as the case may be) paragraph (a) above; and
 - (c) such other information as the Authority may specify, including information as to the cost of providing, or arranging the provision by other persons of, services and facilities additional to those proposed in the plan ^{F11}or (as the case may be) as to the cost of requiring under any such scheme as is mentioned in section 3(1)(c) above the provision of travel concessions at a level higher than, or differently structured from, the level and structure of such concessions for which that scheme currently provides.]
- (3) In determining whether to approve a plan in a form which would involve the making by the Authority of revenue grants in the relevant period the Authority shall have particular regard to—
 - (a) the matters referred to in paragraphs (a) to ^{F12}[^(d)] of subsection (4) of section 3 above;
 - (b) ^{F13}
 - (c) the need to achieve a proper balance between the interests of the ratepayers in their area and the interests of transport users.
- (4) ^{F13}

Textual Amendments

- F11** Words added by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 102(2)(a)**
- F12** “(d)” substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), **s. 102(2)(b)**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Transport Act 1983, Cross Heading: Financial provisions. (See end of Document for details)

F13 S. 4(3)(b)(4)(5)(6) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 39, 102(2), Sch. 12 para. 5(3)(5), Sch. 17

5 Payment of revenue grants.

(1) An Authority shall not in any year make any revenue grant to an Executive except in accordance with a determination made by the Authority under section 4(1) above.

(2) ^{F14}

Textual Amendments

F14 S. 5(2) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 39, 102(2), Sch. 12 para. 5(3)(5), Sch. 17

6 Supplementary provisions.

(1) An Executive [^{F15}shall before preparing any plan under section 3 above consult the Authority].

(2) An Executive shall, when submitting any plan or supplying any information to an Authority under that section or section 4 above, send a copy of the plan or information to the Secretary of State.

(3) ^{F16}

(5) Where an Executive’s plan is approved by an Authority under section 4 above the Authority shall inform the Executive [^{F17}and the Secretary of State] in writing—

- (a) of their approval and of any modifications made by them in the plan as approved; and
- (b) of any determination made by them under subsection (1) of that section.

(6) The general level and structure of fares and the general level of charges specific in a plan approved by an Authority under section 4 above shall be treated—

- (a) for the purposes of section 15(2)(a) of the Act of 1968; . . . ^{F18}
- (b) ^{F18}

as having been approved by the Authority under that provision.

(7) Before giving or withholding any approval required by section 15(2)(a) of the Act of 1968 . . . ^{F19} the Authority shall have regard in particular to the extent to which their decision will affect the amount of revenue grants that will be needed to enable the Executive to comply with their duty under section 2 above and to the need to achieve a proper balance between the interests of the ratepayers in their area and the interests of transport users.

Textual Amendments

F15 Words substituted by Local Government Act 1985 (c. 51, SIF 81:1), s. 39, Sch. 12 para. 5(3)(5)

F16 S. 6(3)(4) repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 39, 102(2), Sch. 12 para. 5(3)(5), Sch. 17

F17 Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 39, Sch. 12 para. 5(3)(5)

Status: Point in time view as at 01/02/1991.

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F18 S. 6(6)(b) and word “and” immediately preceding it repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(b\)](#), Sch. 7

F19 Words repealed by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), [s. 71\(3\)\(b\)](#), Sch. 7

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