



London Regional Transport Act 1984

1984 CHAPTER 32

PART I

LONDON REGIONAL TRANSPORT

Miscellaneous and supplemental

27 Supplementary provisions with respect to transfer schemes

- (1) This section applies to any scheme under section 4, 5 or 9(6) of this Act (referred to below in this section as a transfer scheme).
- (2) A transfer scheme may define the property, rights and liabilities to be transferred by the scheme—
 - (a) by specifying the property, rights and liabilities in question ; or
 - (b) by referring to all the property, rights and liabilities comprised in a specified part of the transferor's undertaking;and may contain such supplementary, incidental and consequential provisions as may appear to London Regional Transport to be necessary or expedient.
- (3) Without prejudice to section 47 of this Act and subject to subsection (4) below, a transfer scheme may provide that any functions of the transferor under any statutory provision shall be transferred with the property, rights and liabilities affected by the scheme, if and so far as that statutory provision—
 - (a) relates to the part of the transferor's undertaking, or to property, to be transferred by the scheme ; or
 - (b) authorises the carrying out of works designed to be used in connection with that part of the transferor's undertaking or the acquisition of land for the purpose of carrying out such works.
- (4) Subsection (3) above does not apply to any function of London Regional Transport, or of London Regional Transport or any subsidiary of theirs, under any provision of this Act or any other statutory provision specifically amended by any provision of this Act.

Status: This is the original version (as it was originally enacted).

- (5) A transfer scheme may define any functions of the transferor to be transferred by the scheme in accordance with subsection (3) above—
- (a) by specifying the statutory provisions in question ;
 - (b) by referring to all the statutory provisions (except those mentioned in subsection (4) above) which relate to the part of the transferor's undertaking, or to property, to be transferred by the scheme or authorise the carrying out of works designed to be used in connection with that part of the transferor's undertaking or the acquisition of land for the purpose of carrying out such works ; or
 - (c) by referring to all the statutory provisions within paragraph (b) above, but specifying certain excepted provisions.
- (6) A transfer scheme shall not come into force until it has been approved by the Secretary of State or until such date as the Secretary of State may, in giving his approval, specify; and the Secretary of State may approve a transfer scheme either without modifications or with such modifications as, after consultation with London Regional Transport, he thinks fit.
- (7) On the coming into force of a transfer scheme the property, rights and liabilities affected by the scheme shall, subject to subsection (8) below, be transferred and vest in accordance with the scheme.
- (8) Subject to subsection (9) below, Schedule 4 to the 1968 Act (supplementary provisions as to certain transfers of property, rights and liabilities) shall apply to any transfer under subsection (7) above; and subsection (7) above shall have effect subject to the provisions of that Schedule.
- (9) In Schedule 4 as it applies by virtue of subsection (8) above—
- (a) any reference to a transfer by or a vesting by virtue of that Act shall be read as a reference to a transfer by or a vesting by virtue of the transfer scheme in question; and
 - (b) the reference in paragraph 13(5) to the relevant provisions of that Act shall be read as including a reference to the relevant provisions of this Act.

28 Provision of extra transport services and facilities

- (1) London Regional Transport shall have power to enter into and carry out agreements with—
- (a) the council of a London borough ;
 - (b) the Common Council;
 - (c) any urban development corporation established for an area in Greater London under Part XVI of the Local Government, Planning and Land Act 1980 ; or
 - (d) the council of any district;
- with respect to the provision or continued provision by London Regional Transport, and the financing, on such terms as may be agreed between the parties, of public passenger transport services and facilities which would not be available apart from any such agreement.
- (2) The council of a London borough, the Common Council and the council of any district shall each have power to enter into and carry out agreements with London Regional Transport with respect to the matters mentioned in subsection (1) above.

29 Annual business plans

- (1) It shall be the duty of London Regional Transport in each accounting year to prepare, and cause to be published in such manner as they think fit, a plan containing their proposals with respect to the conduct of their undertaking and the business of their subsidiaries during the period to which the in each accounting year to prepare, and cause to be published plan relates.
- (2) Subject to subsection (3) below, the plan shall give such information relevant to their proposals, and deal with such other matters, as London Regional Transport consider appropriate for presenting their proposals in the context of the past and current performance and policies of themselves and their subsidiaries.
- (3) In preparing the plan London Regional Transport shall have regard to any guidance given by the Secretary of State as to the form and content of the plan and the period to which it is to relate.

30 Information and publicity with respect to plans as to services and fares

- (1) It shall be the duty of London Regional Transport in each year to inform the local authorities concerned and the Passengers' Committee of their current plans with respect to—
 - (a) the general level of transport services and facilities to be provided by them, by subsidiaries of theirs or by other persons in pursuance of any agreement entered into by them by virtue of section 3(2) of this Act, and the general structure of routes of those services; and
 - (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.
- (2) For the purposes of subsection (1) above, the local authorities concerned are—
 - (a) the Greater London Council;
 - (b) the councils of the London boroughs ;
 - (c) the Common Council; and
 - (d) the council of any county or district any part of whose area appears to London Regional Transport to be affected to a significant degree by the plans mentioned in that subsection.
- (3) London Regional Transport shall cause particulars of the general level and structure of the fares referred to in subsection (1)(b) above as they apply for the time being to be published in such manner as they think fit.

31 Duty of Railways Board to consult London Regional Transport as to fares and services in London

The Railways Board shall in each year consult with London Regional Transport as to—

- (a) the general level and structure of the fares to be charged for the carriage of passengers by the Board's railways on journeys wholly within Greater London ; and
- (b) the general level of the provision to be made for such journeys.

32 Further powers of Secretary of State

- (1) In addition to any power of the Secretary of State under any other provision of this Act to give directions to London Regional Transport with respect to any matter, the Secretary of State may, after consultation with London Regional Transport, give to London Regional Transport directions of a general character as to the exercise and performance by them of their functions (including the exercise of rights conferred by the holding of interests in companies).
- (2) London Regional Transport shall, in framing and carrying out proposals involving substantial expenditure of a capital nature by London Regional Transport or a subsidiary of theirs, act on lines settled from time to time with the approval of the Secretary of State.
- (3) London Regional Transport shall, in formulating policies and plans for the general conduct of their undertaking and the businesses of their subsidiaries, act on lines settled from time to time with the approval of the Secretary of State.
- (4) If it appears to the Secretary of State to be desirable to do so for the purpose of obtaining information not otherwise available, he may at any time cause a review to be carried out (whether by London Regional Transport or by any persons appointed by him for the purpose) of the organisation of the undertaking of London Regional Transport and the businesses of their subsidiaries, with a view to determining whether any occasion arises for the exercise by him of any of his powers under this Part of this Act in relation to London Regional Transport.
- (5) Without prejudice to the preceding provisions of this section or section 10 of this Act, but subject to subsection (6) below, the Secretary of State may, after consultation with London Regional Transport, direct London Regional Transport to take, or to exercise their control over any subsidiary of theirs so as to require that subsidiary to take, any of the following actions, that is to say—
 - (a) to discontinue any activities ;
 - (b) to dispose of any assets ;
 - (c) to call in any loan ;
 - (d) to exercise any power London Regional Transport or (as the case may be) that subsidiary may possess to revoke any guarantee.
- (6) The Secretary of State shall not give any direction under subsection (5) above unless he is satisfied that the carrying on of the activities or the retention of the assets or the continuance of the loan or guarantee (as the case may be) is unnecessary for the proper discharge by London Regional Transport (whether directly or by acting through the subsidiary in question) of their duties under this Act.
- (7) Without prejudice to the preceding provisions of this section or section 10 of this Act, the Secretary of State may give directions to London Regional Transport requiring them to exercise their powers under section 3 of this Act—
 - (a) to form companies; and
 - (b) to transfer property, rights and liabilities to companies formed by them;for such purposes (other than the purpose of facilitating the eventual disposal under section 9 of this Act of any part of their undertaking or of the whole or any part of the undertaking of any of their subsidiaries) and in such manner as may be specified in the directions.

- (8) If it appears to the Secretary of State that there is any action which London Regional Transport ought in the interests of national defence—
- (a) to have power to take ; or
 - (b) to be required to take ;
- and that it would be consistent with the duties imposed on London Regional Transport by this Act, he may authorise or direct London Regional Transport to take that action.
- (9) No limitation on the powers of London Regional Transport contained in this Act or in any local enactment shall prevent London Regional Transport from taking any action they are authorised or required to take by a direction under subsection (8) above.
- (10) London Regional Transport shall furnish the Secretary of State with such information as he may specify in writing and London Regional Transport have or can reasonably be expected to obtain with respect to such matters relating to—
- (a) London Regional Transport or any subsidiary of theirs;
- or
- (b) their activities (past, present or future), plans or property ;
- as the Secretary of State may so specify.
- (11) Information required under subsection (10) above shall be furnished in such manner and at such times as the Secretary of State may specify in writing.

33 Further provision with respect to control of subsidiaries

London Regional Transport shall exercise their control over their subsidiaries so as to ensure that a subsidiary of theirs—

- (a) does not engage in activities in which London Regional Transport have no power to engage (including activities in which London Regional Transport have no power to engage because the consent of the Secretary of State has not been obtained);
- (b) does not do anything which the Secretary of State has directed London Regional Transport not to do; and
- (c) does not, except with the consent of the Secretary of State, raise money by the issue of shares or stock to any person other than London Regional Transport or any other subsidiary of London Regional Transport.

34 Annual report

- (1) Without prejudice to section 32(10) of this Act, London Regional Transport shall, as soon as possible after the end of each accounting year of London Regional Transport, make to the Secretary of State a report on the exercise and performance by them of their functions during that year.
- (2) The report shall deal with the activities of any subsidiaries of London Regional Transport, so far as relevant to the performance by London Regional Transport of their functions during the year in question.
- (3) The report made under this section in respect of any accounting year of London Regional Transport shall—

Status: This is the original version (as it was originally enacted).

- (a) include such information as the Secretary of State may from time to time specify in writing with respect to any matter the report is required to deal with by virtue of subsection (1) or (2) above ;
 - (b) include a statement of any action taken during that year by London Regional Transport and any subsidiaries of theirs in relation to, or for the purpose of securing, provision for disabled persons in the public passenger transport services and facilities provided for Greater London (whether by London Regional Transport or any subsidiary of theirs or by any other person);
 - (c) include a statement of any action taken during that year by London Regional Transport and any subsidiaries of theirs for the purpose of co-ordinating the public passenger transport services provided by, or by any subsidiary of, the Railways Board and those provided by London Regional Transport, any subsidiary of London Regional Transport, or any other person under an agreement entered into by London Regional Transport by virtue of section 3(2) of this Act;
 - (d) set out any directions given by the Secretary of State to London Regional Transport under this Act during that year, unless the Secretary of State has notified to London Regional Transport his opinion that it is against the interests of national security to do so; and
 - (e) include a statement of the salaries or fees and of the emoluments of each of the members of London Regional Transport during that year.
- (4) The Secretary of State shall lay a copy of every report under this section before each House of Parliament.

35 Inclusion in annual report of information with respect to contract and express carriage business

- (1) This section applies to any business carried on by London Regional Transport or any subsidiary of theirs which is a business of providing services for the carriage of passengers by road which do not require authorisation by a road service licence and would not require such authorisation even apart from the exemption given to London Regional Transport and any subsidiaries of theirs by section 43(1) of this Act.
- (2) In the case of any business to which this section applies, the annual report of London Regional Transport under section 34 of this Act for any accounting year shall include a statement of—
- (a) the amount, as determined by London Regional Transport, of the turnover of London Regional Transport or (as the case may be) of the subsidiary in question for that year in respect of that business ;
 - (b) the extent or approximate extent (expressed in either case in monetary terms) to which, as so determined, the carrying on of that business contributed to, or restricted, the profit or loss of London Regional Transport or of that subsidiary for that year before taxation; and
 - (c) the method by which any determination for the purposes of paragraph (a) or (b) above was arrived at.