



London Regional Transport Act 1984 (repealed)

1984 CHAPTER 32

PART II

THE LONDON REGIONAL RAIL PASSENGER NETWORK

Textual Amendments applied to the whole legislation

F1 Act repealed (*prosp.*) by 1999 c. 29, ss. 423, 425(2), Sch. 34 Pt. II (with **Sch. 12 para. 9(1)**)

36 Provision for additional functions of London Regional Transport as to railway services.

- (1) The Secretary of State may by order provide that sections 37 and 38 of this Act shall apply, as from such day as may be specified in the order (referred to below in this section as the operative date), for the purpose of conferring or imposing on London Regional Transport certain functions in relation to the provision by the Railways Board of railway passenger services and in relation to services so provided.
- (2) Those sections are to be read, accordingly, as applying only as from the operative date.
- (3) In those sections, references to the London regional rail passenger network are references to such railway passenger services as may be determined from time to time by the Secretary of State, after consultation with London Regional Transport and the Railways Board.
- (4) An order under subsection (1) above may contain such supplementary, incidental and consequential provisions as may appear to the Secretary of State to be necessary or expedient, including provisions modifying sections 37 and 38 of this Act or any other enactment (whether contained in this Act or not).
- (5) Any order under subsection (1) above shall cease to have effect (without prejudice to its earlier revocation) at the end of the accounting year of London Regional Transport

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current at the expiry of the period of eight years beginning with the operative date, unless before the end of that period of eight years it is confirmed by order made by the Secretary of State for the purposes of this subsection.

- (6) An order under subsection (1) above specifying a day for the application of sections 37 and 38 of this Act may not be varied before the end of the period of eight years mentioned in subsection (5) above, except with respect to any such provisions as are mentioned in subsection (4) above; and no order under subsection (1) above may be varied or revoked after it has been confirmed in accordance with subsection (5) above.
- (7) No order shall be made—
- (a) under subsection (1) above specifying a day for the application of sections 37 and 38 of this Act or revoking a previous order under that subsection specifying such a day; or
 - (b) confirming any order under that subsection for the purposes of subsection (5) above;

unless a draft of the order has been laid before, and approved by resolution of, each House of Parliament.

- (8) An order under subsection (1) above varying a previous order under that subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

37 Responsibility for London regional rail passenger network.

- (1) London Regional Transport shall be the competent authority of Great Britain in relation to the Railways Board for the purposes of the relevant transport regulations within the meaning of the ^{M1}Railways Act 1974, so far as relates to the operation of any services for the time being comprised in the London regional rail passenger network; and, accordingly, for subsections (1) to (3) of section 3 of that Act (functions of the Secretary of State in relation to the Railways Board under those regulations) there shall be substituted the following subsections—

“(1) The competent authority of Great Britain in relation to the Railways Board for the purposes of the relevant transport regulations shall be—

- (a) in relation to any services comprised in the railway passenger system of the Board other than services within paragraph (b) below, the Secretary of State; and
- (b) in relation to any services for the time being comprised in the London regional rail passenger network, London Regional Transport;

and references below in this section, in relation to the competent authority, to services within the competence of that authority, are references to the services mentioned in paragraph (a) or (b) above (as the case may require).

- (2) The competent authority may give directions to the Board imposing on them obligations of a general nature with respect to the operation of the whole or any part of their railway passenger system, so far as relates to services within the competence of that authority or any matter affecting those services.
- (3) It shall fall to the competent authority to make any payments which are required to be made to the Board by any provisions of the relevant transport regulations in respect of services within the competence of that authority or any matter affecting those services, and that authority may, subject to and in

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accordance with the provisions of those regulations, determine the manner of calculating, and the conditions applicable to, those payments.

(3A) Any direction given under subsection (2) above may be varied or revoked, so far as relates to any services or any matter affecting any services, by a subsequent direction so given by the competent authority in relation to those services (whether or not that authority was the authority which gave the earlier direction).”

(2) In subsections (4) and (6) of that section, for the words “subsection (1) above” there shall be substituted the words “subsection (2) above”.

(3) In section 4 of that Act (the Board’s duties in relation to policies, plans and information)—

(a) after subsection (2) there shall be inserted the following subsection—

“(2A) In relation to—

- (a) expenditure in respect of any services for the time being comprised in the London regional rail passenger network; and
- (b) policies and plans for the conduct of the undertaking of the Board and the businesses of their subsidiaries, so far as relates to any services so comprised;

subsections (1) and (2) above shall apply with the substitution, for references to the Secretary of State, of references to London Regional Transport.”;

(b) after subsection (3) there shall be inserted the following subsection—

“(3A) In relation to information with respect to any services for the time being comprised in the London regional rail passenger network, references in subsection (3) above to the Secretary of State shall include London Regional Transport.”; and

(c) in subsection (5) the following paragraph shall be inserted after paragraph (a)

—
“(aa) set out any directions given to the Board under section 3(2) above during that year;”

and in paragraph (b), for the words from “section 3 of” to “above” there shall be substituted the words “or section 3 of the ^{M2}Transport Act 1981”.

(4) Any direction given by the Secretary of State under section 3(1)

of that Act before the operative date within the meaning of section 36 of this Act shall be treated for the purposes of sections 3 and 4 of that Act, as they have effect by virtue of this section, as given under section 3(2) as substituted by subsection (1) above.

(5) In section 10(2) of that Act (interpretation), after the definition of “the 1968 Act” there shall be inserted the following definition—

““London regional rail passenger network” has the meaning given by section 36(3) of the London Regional Transport act 1984;”.

Marginal Citations

M1 1974 c. 48.

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

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M2 1981 c. 56.

38 Application and modification of Part I.

- (1) In exercising their functions under sections 3 and 4 of the ^{M3}Railways Act 1974, as those sections apply by virtue of section 37 of this Act, London Regional Transport shall have due regard to their general duty under section 2(1) of this Act with respect to the provision of public passenger transport services for Greater London.
- (2) Section 2(3) and (4) of this Act shall not apply, but London Regional Transport and the Railways Board shall continue to have power to enter into such arrangements as are mentioned in section 2(4) where those arrangements appear to London Regional Transport to be appropriate for the discharge of their general duty under section 2(1) of this Act in relation to the provision by the Railways Board of services for the time being comprised in the London regional rail passenger network.
- (3) Any statement prepared by London Regional Transport under section 7 of this Act shall deal with—
 - (a) any current or proposed arrangements between London Regional Transport and the Railways Board under subsection (2) above; and
 - (b) any action London Regional Transport have taken or propose to take in exercise of their powers under section 4(1) and (2) of the ^{M4}Railways Act 1974 (settlement of guidelines as to capital expenditure, policies and plans of Railways Board), so far as relevant to carrying into effect the policies mentioned in section 7(1) of this Act during the period to which the statement relates.
- (4) London Regional Transport may apply sums received by way of grants under section 12 of this Act in making any payments which fall to be made by them to the Railways Board in accordance with section 3(3) of that Act.
- (5) The duty of London Regional Transport under section 30(1)

of this Act to inform the persons there mentioned of their current plans with respect to the general level of transport services to be provided as mentioned in paragraph (a) of that subsection shall apply to their current plans with respect to the general level of provision of services for the time being comprised in the London regional rail passenger network.
- (6) Section 31 of this Act shall apply in relation to any journeys, whether wholly within Greater London or not, by way of services for the time being comprised in that network; and the Railways Board shall inform London Regional Transport in advance of any proposals for changes in substance in any fares to be charged for the carriage of passengers by the Board's railways on such journeys or in the level of provision to be made for such journeys.

Marginal Citations

M3 1974 c. 48.

M4 1974 c. 48.

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39 Expiry of Part II.

This Part of this Act shall cease to have effect—

- (a) if no order is made under section 36(1) of this Act before the end of the period of eight years beginning with the date on which this Act is passed, at the end of that period;
- (b) if an order made under section 36(1) specifying a day for the application of sections 37 and 38 of this Act ceases to have effect by virtue of subsection (5) of that section, or is revoked before the end of the period of eight years mentioned in that subsection, on the date when that order ceases to have effect or (as the case may be) is revoked.

Status:

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Changes to legislation:

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