



Transport Act 1985

1985 CHAPTER 67

PART III

THE NATIONAL BUS COMPANY

The Bus Company's disposal programme

47 Transfer of operations of the Bus Company to the private sector

- (1) The National Bus Company (referred to below in this Part of this Act as the Bus Company) shall submit to the Secretary of State written proposals providing for—
 - (a) the disposal, in preparation for the dissolution of the Company, of the whole of their undertaking, with such exceptions only as may be specified in or determined in accordance with the proposals;
 - (b) the disposal of the whole or any part of the undertaking, or of any particular property, rights or liabilities, of any of their subsidiaries the disposal of which appears to the Company to be appropriate in preparation for the dissolution of the Company ; and
 - (c) the arrangements to be made in preparation for the dissolution of the Company for any matter for which provision appears to the Company to be appropriate for the purposes of or in connection with the dissolution.
- (2) Without prejudice to the generality of subsection (1)(c) above, the arrangements there mentioned may include provision for the making by the Company or any subsidiary of theirs, to persons employed by them or any such subsidiary who do not by virtue of any disposal in pursuance of the proposals fall to be treated as employed by any other person, of payments by way of compensation in respect of the loss of their employment.
- (3) The proposals shall be submitted before the end of the period of three months beginning with the day on which this section comes into force or such further period as the Secretary of State may from time to time allow by notice in writing to the Company.

Status: This is the original version (as it was originally enacted).

- (4) In this Part of this Act " the Company's disposal programme " means (as the case may require)—
- (a) the proposals submitted by the Company under this section;
 - (b) those proposals as approved by the Secretary of State under subsection (7) below; or
 - (c) the proposals formulated by the Secretary of State under subsection (8) below; (subject, in a case within paragraph (b) or (c) above, to any modifications under subsection (10) below).
- (5) The Company's disposal programme shall describe—
- (a) the general approach the Company plan to adopt in relation to the manner in which disposals for which the programme provides are to be carried out (including the intended time-scale for major stages in implementing the programme);
 - (b) the general scope and purpose of such disposals and the estimated effect at each such stage of the disposals carried out up to that time on any remaining operations of the Company and any of their subsidiaries;
 - (c) the measures (if any) which the Company propose to take, for the purpose of preparing for any such disposals, by way of reorganisation of the structure or operations of the Company and any of their subsidiaries ; and
 - (d) the manner in which the Company's main objective under section 48(1) of this Act and their duties under subsections (3) and (4) of that section are to be implemented in relation to the proposals included in the programme.
- (6) Without prejudice to the generality of subsection (5)(c) above, the measures there mentioned may include the formation or promotion of new subsidiaries and the reconstruction, amalgamation, dissolution or winding up of any existing subsidiaries.
- (7) The Secretary of State may approve the Company's disposal programme without modifications or with such modifications as, after consultation with the Company, he thinks fit.
- (8) If any proposals submitted by the Company under this section appear to the Secretary of State to be so defective, with respect to any matters those proposals are required in accordance with subsection (5) above to describe, as to be unsuitable for adopting (with any appropriate modifications) as a basis for carrying out the disposals mentioned in subsection (1) above the Secretary of State may, after consultation with the Company, formulate proposals of his own to have effect as the Company's disposal programme in substitution for the Company's proposals.
- (9) When the Secretary of State has approved the Company's disposal programme or formulated proposals of his own to have effect as that programme, it shall be the duty of the Company to implement the programme before the end of the period of three years beginning with the day on which this section comes into force or before such date after the end of that period as may be prescribed.
- (10) The Secretary of State may from time to time, at the request of the Company or of his own motion, make such modifications in the Company's disposal programme as, after consultation with the Company, he thinks fit.
- (11) The exercise by the Secretary of State of any of his powers under the preceding provisions of this section requires the consent of the Treasury.

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

- (12) The Secretary of State may by order dissolve any company which is a subsidiary of the Bus Company and incorporated by local Act or by an order under the Light Railways Act 1896.
- (13) An order made under subsection (12) above may provide for the disposal of any remaining property, rights or liabilities of the company dissolved and may contain such supplementary, incidental and consequential provisions (including the repeal of any statutory provision) as appear to the Secretary of State to be necessary or expedient.