



# Transport Act 1985

## 1985 CHAPTER 67

### PART IV

#### LOCAL PASSENGER TRANSPORT SERVICES

*Further provisions with respect to companies formed under Part IV*

#### **75 Powers of investment and disposal in relation to public transport companies**

- (1) Without prejudice to the powers of a Passenger Transport Executive, a Passenger Transport Authority or a district or regional council—
  - (a) to subscribe for shares on formation of a company formed by them (whether alone or jointly with any other council) in pursuance of any provision of this Part of this Act; or
  - (b) to acquire any shares in or other securities of a company so formed by way of consideration for any transfer of property, rights and liabilities to that company required or authorised under any such provision ;any such Authority or council shall have power at any time to subscribe for, take up or acquire (as the case may be) any shares in or other securities of any associated company.
- (2) Any such Authority or council shall each have power to provide for the disposal, in such manner as they think fit, of any such shares or other securities.
- (3) The exercise of the power under subsection (1) or (2) above requires the consent of the Secretary of State; and a public transport company's controlling authority may not, without that consent, in exercise of their control over that company permit—
  - (a) the disposal by that company of the whole of that company's undertaking;
  - (b) any disposal by that company of any shares in or other securities of a body corporate which is that company's subsidiary; or
  - (c) any disposal by that company of any part of that company's undertaking, or of any assets of that company (other than shares or securities within paragraph (b) above) which appears to that authority (or, in the case of

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*Status: This is the original version (as it was originally enacted).*

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a composite authority, to both or all of the component councils) to affect materially the structure of the company's business.

- (4) A Passenger Transport Authority or a district or regional council who are a public transport company's controlling authority or (as the case may be) both or all of the component councils of a composite authority who are a public transport company's controlling authority, may, in exercising their power under subsection (2) above in relation to the disposal of any shares in or other securities of that company, provide for an employees' share scheme to be established in respect of that company ; and any such scheme may provide for the transfer of shares without consideration.