

Status: Point in time view as at 09/02/2009.

Changes to legislation: Transport Act 1985, Cross Heading: The Transport Act 1968 is up to date with all changes known to be in force on or before 03 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

AMENDMENTS CONSEQUENTIAL ON SECTION 57

The ^{M1}Transport Act 1968

Marginal Citations

M1 1968 c. 73.

1 **F1**

Textual Amendments

F1 Sch. 3 para. 1 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 14

2 In—
(a) sections 10, 12, 14, 15, 20 and 23 of that Act; and
(b) paragraph 11(a) of Schedule 5 to that Act;
for the word “designated” (in each place where it occurs) there shall be substituted the words “passenger transport”.

3 In section 9(6) of that Act, the words “or 6” shall be omitted, and for the words “sections 20(6) and (7) and 21(5)” there shall be substituted the words “section 20(6) and (7)”.

4 In section 10 of that Act (general powers of Executive)—
(a) in subsection (1)—
(i) in paragraph (ii) (power to carry passengers by land, otherwise than by road, and by water), for the words from “the following distance” to the end of the paragraph there shall be substituted the words “the distance of twenty-five miles from the nearest point on the boundary of that area;”; and
(ii) in paragraph (xxiii), for the words “the discharge of their duty under section 9(3) of this Act” there shall be substituted the words “their business;”; and
(b) in subsection (2) (things done by subsidiaries to count as things done by Executive for certain purposes), the words from “or with the consent” to “Act” (which refer to consents under Schedule 6 to that Act) shall be omitted.

5 **F2**

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Textual Amendments

F2 Sch. 3 para. 5 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 14

- 6 In section 12 of that Act (borrowing powers of Executive)—
 - (a) in subsection (3)(d) the words from “or by” to the end of the paragraph shall be omitted; and
 - (b) in subsection (4)—
 - (i) for the words “Each of the councils of constituent areas” there shall be substituted the words “The Authority for the Executive’s area”;
 - (ii) for the words “such a council” there shall be substituted the words “the Authority for a passenger transport area”;
 - (iii) for the word “council” in each place where it occurs in paragraphs (a) and (b) there shall be substituted the word “Authority”.

7 For section 13 of that Act (precepting powers), as it applies to England and Wales, there shall be substituted the following section—

“13 Power to make grants.

The Authority shall have power to make grants to the Executive for any purpose.”

F3g

Textual Amendments

F3 Sch. 3 para. 8 repealed (E.W.) (11.9.1998) by 1998 c. 18, ss. 54(3), 55(2), Sch. 5

9 F4

Textual Amendments

F4 Sch. 3 para. 9 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 14

10 F5

Textual Amendments

F5 Sch. 3 para. 10 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 14

11 F6

Textual Amendments

F6 Sch. 3 para. 11 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 14

- 12 In section 16 of that Act (publication of annual report by Authority and Executive and prevention of improper conduct of subsidiary activities)—
 - (a) in subsection (1)—

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- (i) for the words “area designated by an order under section 9(1) of this Act” there shall be substituted the words “passenger transport area”; and
 - (ii) for the words “by the order aforesaid” there shall be substituted the words “by any order made, or having effect as if made, under section 9(3) of this Act”; and
- (b) in subsection (2), the words from “and if” to “would not” shall be omitted.

13 F7

Textual Amendments

F7 Sch. 3 para. 13 repealed (24.7.2005 for E.W. and otherwise prosp.) by Railways Act 2005 (c. 14), ss. 59, 60, Sch. 13 Pt. 1 (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2005/1909, art. 2, Sch

14 F8

Textual Amendments

F8 Sch. 3 para. 14 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), s. 1(1), Sch. 1 Pt. 14

15 In section 24(2) of that Act (co-operation between Passenger Transport Executives and the National Bus Company and the Scottish Transport Group), for the words from the beginning to “Act” there shall be substituted the words “In the case of any area which is a passenger transport area for the purposes of Part II of this Act”.

16 In section 54 of that Act (provisions with respect to railway closures)—
(a) in subsection (2), for the words “designated under section 9(1) thereof” there shall be substituted the words “which is a passenger transport area for the purposes of Part II of this Act”; and
(b) in subsection (3), for the words “an area designated as aforesaid” there shall be substituted the words “any such area as is mentioned in that subsection”.

17 In section 134(1) of that Act (authorities to whom duty to act as a body engaged in a commercial enterprise applies), for the words from “designated” to “section 9(1)” there shall be substituted the words “area which is a passenger transport area for the purposes of Part II”.

18 In section 137 of that Act (obligation to establish machinery for negotiation and consultation with staff)—
(a) in subsection (1) (authorities to whom the section applies), for the words from “designated” to “section 9(1)” there shall be substituted the words “area which is a passenger transport area for the purposes of Part II”;
(b) in subsection (3)(b), for the words from “Authority” to the end of the paragraph there shall be substituted the words “Passenger Transport Authority for the passenger transport area in question (referred to below in this section as the relevant Passenger Transport Authority)”; and
(c) [F9 in subsection (4), for the words “Authority established as aforesaid” and “Authority so established” there shall be substituted the words “relevant Passenger Transport Authority”.]

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Textual Amendments

F9 Sch. 3 para. 18(c) repealed (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 7 Pt. 4](#); S.I. 2009/107, art. 2(1), [Sch. 1 Pt. 1](#)

- 19 In section 141(1) of that Act (application of Town and Country Planning Acts), for the words from “designated” to “section 9(1)” there shall be substituted the words “for any area which is a passenger transport area for the purposes of Part II”.
- 20 —In section 160(5) of that Act (stamp duty not chargeable on certain instruments), for the words “established under section 9(1)” there shall be substituted the words “for any area which is a passenger transport area for the purpose of Part II”.
- 21 (1) In Schedule 5 to that Act (constitution, etc., of Passenger Transport Authorities and Executives), Part I (which relates to Passenger Transport Authorities) shall be omitted.
- (2) In Part II of that Schedule—
- (a) paragraph 1 shall be omitted;
 - (b) in paragraph 2, as it applies to England and Wales, for the words “any of the councils of constituent areas” (in each place where they occur) there shall be substituted the words “the Authority for the passenger transport area”; and
 - (c) in paragraph 2, as it applies to Scotland, for the word “designated” there shall be substituted the words “passenger transport”.
- (3) In Part III of that Schedule the following provisions shall be omitted—
- (a) paragraphs 1, 2, 3(a), 4, 5, 10, 11(c), 12, 16 and 17;
 - (b) in paragraphs 6, 7 and 9 the words “the Authority and” and “respectively”, in each place where they occur;
 - (c) in paragraph 8 the words “the Authority or” and “the chairman of the Authority or, as the case may be”;
 - (d) in paragraph 11, the words “the Authority or” in sub-paragraph (a) and “the Authority” in sub-paragraph (b); and
 - (e) in paragraph 13, the words “the Authority or”, in both places where they occur, and “the Authority” where those words last occur;
- and in paragraph 3(b), for “9(1)(b)” there shall be substituted “9(2)”.

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