
DRAFT STATUTORY INSTRUMENTS

2014 No.

The West Yorkshire Combined Authority Order 2014

PART 3

Transport

Abolition and transfer of functions

- 6.—(1) The West Yorkshire integrated transport area is dissolved and the ITA is abolished.
- (2) On the abolition of the ITA—
- (a) its functions; and
 - (b) its property, rights and liabilities,
- are transferred to the Combined Authority.

Adaptation of enactments

- 7.—(1) This article has effect in consequence of article 6.
- (2) In any enactment (whenever passed or made)—
- (a) any reference to an integrated transport area; or
 - (b) any reference which falls to be read as a reference to such an area,
- is to be treated as including a reference to the combined area.
- (3) In any enactment (whenever passed or made)—
- (a) any reference to an integrated transport authority; or
 - (b) any reference which falls to be read as a reference to such an authority,
- is to be treated as including a reference to the Combined Authority.
- (4) Paragraphs (2) and (3) do not apply to Part 2 of the Transport Act 1968 which is amended in accordance with Schedule 2.

Passenger Transport Executive

- 8.—(1) In this Order “the Executive” means the West Yorkshire Passenger Transport Executive established by the West Yorkshire Passenger Transport Area (Establishment of Executive) Order 1973⁽¹⁾.
- (2) The Executive shall be dissolved and all functions, property, rights and liabilities of the Executive shall be transferred to the ITA.
- (3) Subject to article 7(4) and Schedule 2 and to the following provisions of this article, any reference in any enactment (whenever passed or made) to a passenger transport executive or to

(1) [S.I. 1973/1729](#).

passenger transport executives is to be treated, in its application to the combined area, as if it were a reference to the Combined Authority.

(4) Paragraph (3) does not apply to the following enactments—

(a) in the Audit Commission Act 1998(2)—

(i) section 11(2)(g);

(ii) section 30(1) and (3); and

(iii) in Schedule 2, paragraph 4;

(b) paragraph 28 of Schedule 1 to the Freedom of Information Act 2000(3);

(c) Schedule 2 to the Local Government Act 1988(4);

(d) section 33 of the Railways Act 2005(5);

(e) sections 95, 96, 97, 104(2) and (3) and 137(5) of the Transport Act 1985; and

(f) section 162(4) of the Transport Act 2000.

(5) The West Yorkshire Passenger Transport Area (Establishment of Executive) Order 1973 is revoked.

Continuity

9.—(1) Nothing in article 6, 7 or 8 affects the validity of anything done by or in relation to the ITA or the Executive before the commencement date.

(2) There may be continued by or in relation to the Combined Authority anything (including legal proceedings) which—

(a) relates to any of the functions, property, rights or liabilities transferred to the Combined Authority; and

(b) is in the process of being done by or in relation to the ITA or the Executive immediately before the commencement date.

(3) Anything which—

(a) was made or done by or in relation to the ITA or the Executive for the purposes of or otherwise in connection with any of the functions, property, rights or liabilities transferred; and

(b) is in effect immediately before the transfer takes effect,

has effect as if made or done by or in relation to the Combined Authority.

(4) The Combined Authority shall be substituted for the ITA or, where appropriate, the Executive in any instruments, contracts or legal proceedings which—

(a) relate to any of the functions, property, rights or liabilities transferred; and

(b) are made or commenced before the transfer takes effect.

(5) A reference in this article to anything made or done by or in relation to the ITA or the Executive includes a reference to anything which by virtue of any enactment is to be treated as having been made or done by or in relation to the ITA or the Executive.

(6) Without prejudice to the generality of this article a levy issued by the ITA under section 74 of the Local Government Finance Act 1988(6) and in accordance with the Transport Levying Bodies

(2) 1998 c. 18.

(3) 2000 c. 36. Paragraph 8 was substituted by the Local Transport Act 2008, Schedule 4, paragraph 64.

(4) 1988 c. 9.

(5) 2005 c. 14.

(6) 1988 c.41; section 74 was amended by the Local Government Finance Act 1992 (c. 14), Schedule 13, paragraph 72; the Local Government (Wales) Act 1994 (c. 19), Schedule 6, paragraph 21; the Environment Act 1995 (c. 25), Schedule 24; the Greater

Regulations 1992⁽⁷⁾ to the constituent councils in respect of the financial year beginning 1st April 2014 has effect for that year from and after the commencement date as if it had been so issued by the Combined Authority.

London Authority Act 1999 (c. 29) section 105; the Courts Act 2003 (c. 39), Schedule 8, paragraph 305(a); the Fire and Rescue Services Act 2004 (c. 21), Schedule 1, paragraph 68; the Local Government and Involvement in Public Health Act 2007 (c. 28), Schedule 1, paragraph 16; the Local Democracy, Economic Development and Construction Act 2009 (c. 20), Schedule 6, paragraphs 74 and 75 and Schedule 7, Part 4; the Police Reform and Social Responsibility Act 2011 (c. 13), Schedule 16, paragraph 182(a); the Localism Act 2011 (c. 20), Schedule 7, paragraphs 1, 2; and by S.I. 1994/2825.

(7) S.I. 1992/2789, amended by S.I. 2012/213.