

ELIZABETH II



1975 CHAPTER ix

An Act to confer further powers on the London Transport Executive in relation to manufacture, repair and supply; and for other purposes. [22nd May 1975]

WHEREAS by the Transport (London) Act 1969 (in this 1969 c. 35. Act referred to as "the Act of 1969") the London Transport Executive (in this Act referred to as "the Executive") were established:

And whereas the general powers conferred on the Executive by section 6 of the Act of 1969 include the powers conferred by paragraphs (g) and (i) of subsection (1) of the said section 6, that is to say:—

(g) power to supply, maintain and repair anything required for the purposes of the business of, or of a subsidiary of, the Executive or any of the national transport authorities as defined in section 45 of the Act of 1969 (in this Act referred to as "the national transport authorities") or for the purposes of the Greater London Council (in this Act referred to as "the Council");

(i) power, subject to any directions by the Council, to construct, manufacture and produce anything which is required for any of the purposes of, or of a subsidiary of, the Executive or any of the national transport authorities or for the purposes of the Council:

And whereas it is expedient that the further powers of manufacture, repair and supply in this Act contained should be conferred upon the Executive and that the other provisions in this Act contained should be enacted:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the London Transport (Additional Powers) Act 1975.

Interpretation.

2.—(1) In this Act—

“ manufacture ” includes construct and produce;

“ outside persons ” means persons other than the Council, the Executive or any subsidiary of theirs and any of the national transport authorities or any subsidiaries or wholly-owned subsidiaries of any of those authorities;

“ purchase ” includes obtain by exchange, hire or hire-purchase;

“ repair ” includes maintain;

“ subsidiary ” and “ wholly-owned subsidiary ” have the same meanings respectively as in the Act of 1969;

“ supply ” includes supply by sale, exchange, hire or hire-purchase.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by, or by virtue of, any subsequent enactment, including this Act.

**Manufacture,
repair and
supply.**

3.—(1) Subject to any directions by the Council, the Executive shall have power—

(a) to manufacture for supply to outside persons, and to repair for outside persons, anything which the Executive have power to manufacture or repair for themselves or any subsidiary of theirs in connection with any activity for the time being carried on by the Executive or that subsidiary; and

(b) to supply to outside persons, and for that purpose to purchase, anything which is of a kind which the Executive or a subsidiary of theirs purchase in the course of any activity for the time being carried on by the Executive or that subsidiary.

(2) The Executive—

(a) before engaging, either directly or through a subsidiary, in any activity authorised by subsection (1) of this section, shall publish, in such manner as the Council direct, the proposals for such activity and shall send copies of those proposals to the Confederation of British Industry and the Trades Union Congress; and

(b) in engaging, either directly or through a subsidiary, in any such activity, shall in carrying on that activity act as if they were a company engaged in a commercial enterprise or, as the case may be, shall exercise their control over that subsidiary so as to ensure that the subsidiary in carrying on that activity acts as a company so engaged.

(3) The Executive shall not engage in any activity authorised by subsection (1) of this section, and shall exercise their control over any subsidiary of theirs so as to ensure that the subsidiary does not engage in any such activity, unless the Executive are satisfied that they or the subsidiary can do so without detriment to the duties imposed on the Executive by the Act of 1969.

(4) The powers conferred on the Executive by subsection (1) of this section shall be deemed to be in addition to, and not in derogation of, any powers conferred on them by section 6 of the Act of 1969; and it is hereby declared that the said subsection (1) relates only to the capacity of the Executive as a statutory corporation and shall not be construed as authorising the disregard by the Executive of any enactment or rule of law.

(5) Subsection (2) of section 12 of the Act of 1969 (which requires the inclusion of certain particulars in the annual report of the Executive under section 15 of that Act) shall apply to any business of manufacture which the Executive are authorised to carry on by subsection (1) of this section as it applies to any business of manufacture which the Executive are authorised to carry on by paragraph (i) of subsection (1) of section 6 of the Act of 1969.

4. All costs, charges and expenses of and incident to the preparing for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Executive and may in whole or in part be defrayed out of revenue. Costs of Act.

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