



# Transport Act 1985

## 1985 CHAPTER 67

### PART IV

#### LOCAL PASSENGER TRANSPORT SERVICES

##### *Passenger Transport Areas*

#### **62 Protection of employee benefits on transfer and division of bus undertakings**

- (1) In this section, as it applies in relation to the Passenger Transport Executive or (as the case may be) in relation to the Passenger Transport Authority for any passenger transport area—

" the first transfer " means the transfer under section 59(7) of this Act to the initial company of property, rights and liabilities of the Executive for that area ; and

" the second transfer" means the transfer under section 61(11) of this Act to companies formed under that section of property, rights and liabilities of the initial company;

and " the first transfer date " and " the second transfer date " mean respectively the date on which the first transfer and the date on which the second transfer takes effect.

- (2) The Passenger Transport Executive for any passenger transport area shall have power to make, in such manner as they think fit, such provision as appears to them to be appropriate in connection with either the first or the second transfer for the maintenance to any extent of any concession, benefit Or privilege of a description enjoyed immediately before the first transfer date by—
- (a) persons who then were or had been employed in such part of the Executive's undertaking, or of the undertaking of any wholly-owned subsidiary of the Executive, as was transferred on that date to the initial company; or
  - (b) members of the families of any such persons.
- (3) Subject to subsection (4) below, the Passenger Transport Authority for any passenger transport area shall have power to make, in such manner as they think fit, such

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*Status: This is the original version (as it was originally enacted).*

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provision as appears to them to be appropriate in connection with the second transfer for the maintenance to any extent of any concession, benefit or privilege of a description enjoyed immediately before the second transfer date by—

- (a) persons who then were or had been employed in any undertaking or part of an undertaking transferred on that date to a company formed under section 61 of this Act; or
  - (b) members of the families of any such persons.
- (4) Subsection (3) above shall not apply to any concession, benefit or privilege of a description to which subsection (2) above applies.
- (5) Where provision for the maintenance of a concession, benefit or privilege of any description may be made under subsection (2) or (3) above provision may instead be made, in any cases or classes of case to which that subsection applies, for the making of any payment or the provision of any other concession, benefit or privilege in compensation for the loss or (as the case may be) for any reduction or limitation of concessions, benefits or privileges of that description.