



Transport Act 1985

1985 CHAPTER 67

PART IV

LOCAL PASSENGER TRANSPORT SERVICES

Miscellaneous and supplementary

85 Incorporation of Passenger Transport Executives in Authorities for their area.

- (1) The Secretary of State may by order make provision for the transfer of all functions, property, rights and liabilities of the Passenger Transport Executive for any [^{F1}integrated transport area or] passenger transport area specified in the order [^{F2}the Integrated Transport Authority or, as the case may be,] to the Passenger Transport Authority for that area.
- (2) An order under this section may contain such supplementary, incidental and consequential provisions as may appear to the Secretary of State to be necessary or expedient.
- (3) Without prejudice to the generality of subsection (2) above, any such order may, in particular—
 - (a) provide for enactments relating to the functions of Passenger Transport Executives [^{F3}and Authorities][^{F3}, Integrated Transport Authorities and Passenger Transport Authorities] respectively to have effect in relation to the [^{F4}integrated transport area or] passenger transport area specified in the order with such modifications as may be so specified; and
 - (b) provide for the dissolution of the Passenger Transport Executive for that area.
- (4) The property, rights and liabilities to which an order under this section relates shall, subject to subsection (5) below, be transferred and vest in accordance with the order on such date as may be appointed by the order for that purpose.
- (5) Subject to the following provisions of this section, Schedule 4 to the 1968 Act shall apply to any transfer under subsection (4) above; and subsection (4) above shall have effect subject to the provisions of that Schedule.

Changes to legislation: Transport Act 1985, Section 85 is up to date with all changes known to be in force on or before 17 May 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) View outstanding changes

- (6) In Schedule 4 as it applies by virtue of subsection (5) above—
- (a) any reference to a transfer by or a vesting by virtue of that Act shall be read as a reference to a transfer by or a vesting by virtue of the order; and
 - (b) the reference in paragraph 13(5) to the relevant provisions of that Act shall be read as including a reference to the relevant provisions of this Act.
- (7) Any order under this section may make modifications in Schedule 4 for the purposes of its application to a transfer effected by that order.
- (8) No order shall be made under this section unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament.

Textual Amendments

- F1** Words in s. 85(1) inserted (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 4 para. 30\(2\)\(a\)](#); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F2** Words in s. 85(1) inserted (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 4 para. 30\(2\)\(b\)](#); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F3** Words in s. 85(3) substituted (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 4 para. 30\(3\)\(a\)](#); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F4** Words in s. 85(3) inserted (E.W.) (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 4 para. 30\(3\)\(b\)](#); S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1

Modifications etc. (not altering text)

- C1** Pt. 4: functions made exercisable (E.) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), [14\(1\)](#)
- C2** Ss. 80-87: functions transferred (E.) (28.2.2024) by [The East Midlands Combined County Authority Regulations 2024 \(S.I. 2024/232\)](#), regs. 1(2), [14\(2\)](#) (with reg. 14(3))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(2ZA) inserted by [2019 asp 17 s. 37\(2\)\(a\)](#)
- s. 6(7ZA) inserted by [2019 asp 17 s. 37\(2\)\(b\)](#)