STATUTORY INSTRUMENTS

1975 No. 177 (S. 14)

TRANSPORT

The Greater Glasgow Passenger Transport Area (Adaptation of Enactments and Instruments) Order 1975.

Made - - - -	10*th February* 1975
Laid before Parliament	25*th February* 1975
Coming into Operation	16*th May* 1975

In exercise of the powers conferred upon me by sections 150(3) and 215 of the Local Government (Scotland) Act 1973(a) and of all other powers enabling me in that behalf I hereby make the following Order:—

Citation and commencement

1. This Order may be cited as the Greater Glasgow Passenger Transport Area (Adaptation of Enactments and Instruments) Order 1975, and shall come into operation on the 16th May 1975.

Interpretation

2.—(1) In this Order—

"the Act of 1973" means the Local Government (Scotland) Act 1973;

"the designated area" means the Greater Glasgow Passenger Transport Area designated by Article 3 of the Designation Order;

"the Designation Order" means the Greater Glasgow Passenger Transport Area (Designation) Order 1972(b);

"the Transfer Order" means the Greater Glasgow Passenger Transport Area (Transfer of Undertaking) Order 1973(c);

"the Executive" means the Greater Glasgow Passenger Transport Executive established under the Designation Order;

(2) Except where the context otherwise requires,

any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by or under any subsequent enactment.

(a) 1973 c. 65.
(b) S.I. 1972/1094 (1972 II, p. 3230).
(c) S.I. 1973/780 (1973 I, p. 2471).

(3) The Interpretation Act 1889(a) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Passenger Transport Executive

3.—(1) The Executive shall, notwithstanding the amendments contained in Article 5 of and the Schedule to this Order, continue to be the Passenger Transport Executive for the designated area.

(2) The persons who immediately before 16th May 1975 are the Director General and other members of the Executive shall continue to hold office on and after that date in accordance with the terms of their appointments until such appointments are terminated or the terms thereof varied in accordance with the provisions applicable thereto.

(3) Nothing in this Order shall affect the validity of anything done by or to or in relation to the Executive before 16th May 1975.

Dissolution of Existing Passenger Transport Authority

4. The dissolution on 16th May 1975 (by virtue of section 150(2) of the Act of 1973) of the Greater Glasgow Passenger Transport Authority established in accordance with the Designation Order shall not affect the validity of anything done by or to or in relation to that Authority before 16th May 1975 and insofar as any thing has continuing effect on and after that date references to that Authority shall be construed on and after that date as references to the Strathclyde Regional Council in their capacity as Passenger Transport Authority.

Amendments to existing orders.

5. The provisions of the Designation Order, the Transfer Order and the Greater Glasgow Passenger Transport Authority (Adaptation and Modification of the Local Government (Scotland) Act 1947) (Scotland) Regulations 1972(b) shall have effect subject to the amendments and revocations specified in Parts I, II and III of the Schedule to this Order.

William Ross,
One of Her Majesty's Principal Secretaries of State

St. Andrew's House
Edinburgh
10th February 1975.

(a) 1889 c. 63.

(b) S.I. 1972/1596 (1972 III, p. 4650).

SCHEDULE

AMENDMENTS TO EXISTING ORDERS UNDER PART II OF THE TRANSPORT ACT 1968(a)

PART I

THE DESIGNATION ORDER

Article 2(1). The definitions of 'Glasgow Corporation' 'the constituent councils' and 'a casual vacancy' shall be deleted.

For the definitions of 'the Act of 1947', and 'the Authority' the following shall be substituted:—

'the Act of 1973' means the Local Government (Scotland) Act 1973;

'the Authority' means the Strathclyde Regional Council;

Article 2(3) shall be revoked.

Articles 3 to 15 inclusive shall be revoked.

Article 17(2). For the reference to "paragraphs 4 to 8 of Part IV of Schedule 3 of the Act of 1947" (meaning thereby the Local Government (Scotland) Act 1947)(b) there shall be substituted a reference to "paragraphs 5 to 10 of Schedule 7 to the Act of 1973."

Article 18 For Article 18 the following shall be substituted:—

"Application of certain enactments relating to local authorities etc.

18—(1) The provisions of sections 38 to 42 and 60 of the Act of 1973 (which relate to the disability of members of local authorities for taking part in the consideration or discussion of, or for voting on, any question with respect to contracts, proposed contracts or other matters in which they have a pecuniary interest) shall apply to members of the Executive or of any committee or sub-committee of the Executive as they apply to members of local authorities or of any committees or sub-committees of such authorities, but so that in such application the said provisions shall have the effect as if—

(*a*) they referred only to contracts and proposed contracts and did not extend to other matters,

(*b*) sub-sections (1) to (3) were omitted from section 41 of the said Act of 1973, and

(*c*) in section 40 of the Act of 1973 there were substituted for references to the proper officer of the authority references to the Secretary of the Executive.

(2) Section 68 of the Act of 1973 (which relates to the disclosure by officers of local authorities of their interest in contracts or proposed contracts) shall apply in relation to officers and servants of the Executive as it applies in relation to officers and servants of local authorities.

(3) Section 86 of the Act of 1973 (which relates to insurance by local authorities against accidents to members) shall apply to the Executive as it applies to a local authority.

(4) Sub-section (2) of section 189 of the Act of 1973 (which relates to the appearance of local authorities in legal proceedings) shall apply in relation to the Executive as they apply to a local authority.

(5) Section 67 of the Act of 1973 (which prohibits a local authority etc. appointing to any paid office other than to the office of chairman a person who is or has within 12 months prior to the appointment been a member of the authority) shall apply in relation to the Executive or to any subsidiary thereof as it applies in relation to a local authority but as if any reference therein to any paid office included a reference to any office, appointment or employment under or with the Executive or any subsidiary thereof as the case might be.

(a) 1968 c. 73. (b) 1947 c. 43.

(6) Section 144(2)(*a*) of the Road Traffic Act 1972(a) (which provides that the requirements of section 143 of that Act as to users of motor vehicles being insured or secured against third party risks are not to apply to a vehicle owned by any such local authority as is mentioned in the said sub-section (2)(*a*) shall apply to a vehicle owned by the Executive, or by any subsidiary of the Executive, as it applies to a vehicle owned by any local authority so mentioned.

(7) Section 263 of the Act of 1947 as amended by the Local Government (Scotland) Act 1973 (which relieves lenders from making certain enquiries) shall apply in relation to the Executive as they apply in relation to a local authority."

Article 19 In paragraph (1), (2)(*b*) and (8)(*b*) the references to the Authority shall be deleted, and in paragraphs (2)(*a*), (3) and (4) the references to officers or servants of the Authority shall be deleted.

Article 20 The references to the Authority shall be deleted.

Article 22 The references to the Authority shall be deleted.

Article 23 The reference to the Authority and to paragraph 11 of Schedule 3 shall be deleted.

Schedule 1 For Schedule 1 the following shall be substituted:—

"SCHEDULE 1

DESCRIPTION OF THE DESIGNATED AREA

The designated area is the area which consists of all of the following local government areas, that is to say—

(*a*) the District of the City of Glasgow;
(*b*) the District of Clydebank;
(*c*) the District of Bearsden and Milngavie;
(*d*) the District of Strathkelvin;
(*e*) the District of Cumbernauld and Kilsyth;
(*f*) the District of Monklands;
(*g*) the District of Motherwell;
(*h*) the District of Hamilton;
(*i*) the District of East Kilbride;
(*j*) the District of Eastwood;
(*k*) the District of Renfrew."

Schedules 2 and 3 shall be revoked.

PART II

THE GREATER GLASGOW PASSENGER TRANSPORT AUTHORITY (ADAPTATION AND MODIFICATION OF THE LOCAL GOVERNMENT (SCOTLAND) ACT 1947) (SCOTLAND) REGULATIONS 1972

These Regulations shall be revoked.

PART III

THE TRANSFER ORDER.

Article 2(1). For the definition of "the authority" the following shall be substituted:—
"the Authority" means the Strathclyde Regional Council.

(a) 1972 c. 20.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides that on the dissolution of the Greater Glasgow Passenger Transport Authority and transfer of the property and functions of the Authority to Strathclyde Regional Council as Passenger Transport Authority, the existing Greater Glasgow Passenger Transport Executive shall continue to be the Executive for the designated passenger transport area.

The existing orders relating to the Greater Glasgow Passenger Transport Area are amended (Article 5 and the Schedule), including the substitution of a revised description of the designated area in terms of the new local government districts.