CHAPTER lix.

An Act to make provision regulating the financial arrangements of the London Passenger Transport Board pending the confirmation or settlement of a pooling scheme under the London Passenger Transport Act 1933 and the determination of the amounts and classes of transport stock to be issued as consideration for the transfer to the Board of certain undertakings and parts of undertakings and for other purposes. [12th July 1934.]

A.D. 1934.

WHEREAS by the London Passenger Transport Act 1933 (in this Act referred to as "the Act of 1933") the London Passenger Transport Board (in this Act referred to as "the Board") were established for the purpose of securing the provision of an adequate and properly co-ordinated system of passenger transport for the London passenger transport area:

And whereas by the Act of 1933 provision is made for the establishment of a standing joint committee (in the Act of 1933 and this Act referred to as "the joint committee") with a view to securing that the services provided or to be provided by the Board shall be properly co-ordinated with the suburban passenger services of the four amalgamated railway companies constituted under the Railways Act 1921 (in the Act of 1933 and this Act referred to as "the amalgamated railway companies"):

[*Price 4d. Net.*]

A.D. 1934.

And whereas by the Act of 1933 it is provided (inter alia) that—

(*a*) it shall be the duty of the joint committee within twelve months from the first day of July nineteen hundred and thirty-three or such longer period as the Minister of Transport may fix for the purpose to prepare and submit to the Board and to each of the amalgamated railway companies a scheme (in the Act of 1933 and this Act referred to as "the pooling scheme") framed in accordance with the provisions of the Tenth Schedule to the Act of 1933 for the pooling in the manner prescribed by the scheme of the whole of the passenger receipts to which by the said schedule the pooling scheme is required to apply;

(*b*) if within three months from the date on which the scheme is so submitted the scheme is adopted by the Board and by all the amalgamated railway companies the scheme shall forthwith be submitted to the London Passenger Transport Arbitration Tribunal constituted under the Act of 1933 (in the Act of 1933 and this Act referred to as "the arbitration tribunal") for confirmation and the arbitration tribunal if satisfied that the scheme is in accordance with the provisions of the said schedule or with such necessary modifications as the arbitration tribunal may require would be in accordance with the provisions of the said schedule shall confirm the scheme as so submitted or as so modified as the case may be;

(*c*) if no scheme is so submitted within the time hereinbefore mentioned or if the scheme is not so adopted within the period limited as aforesaid it shall be the duty of the arbitration tribunal to prepare and settle the pooling scheme in accordance with the provisions of the said schedule and in preparing and settling the scheme the arbitration tribunal shall take into account any scheme prepared by the joint committee or by the Board or by any of the amalgamated railway companies; and

(*d*) the scheme so confirmed or settled shall notwithstanding anything in the Act of 1933 or any other Act or in any Order having the force of an Act limiting the powers of the Board or of any of the amalgamated railway companies be or be deemed to have been of full force and effect as from the first day of July nineteen hundred and thirty-three:

And whereas by the Act of 1933 it is provided that the financial year of the Board shall be the period commencing on the first day of July and ending on the succeeding thirtieth day of June:

And whereas the provisions of the Act of 1933 relating to the interest on London Transport Stock (in the Act of 1933 and this Act referred to as "transport stock") and to the application of the revenues of the Board and to the reserve and tramway debt liquidation funds of the Board and to the accounts of the Board and their audit and to the Central London (New) Guaranteed Assented Stock constituted in accordance with the provisions of Part III of the Third Schedule to the Act of 1933 and to the Metropolitan Assented Stock created by virtue of section 89 of that Act are co-related to the financial year of the Board:

And whereas by the Act of 1933 it is provided (inter alia) that—

(*a*) subject to the provisions of section 39 of that Act interest shall be paid on London Transport "C" Stock at the rate (in the Act of 1933 and this Act referred to as "the standard rate") of five per centum per annum in respect of each of the first two years after the first day of July nineteen hundred and thirty-three;

(*b*) the revenues of the Board in any year shall (after meeting certain prior charges) be applied in defraying the interest for that year on London Transport "C" Stock at the standard rate; and

(*c*) if in any year the revenues of the Board applicable to the payment of interest at the standard rate are insufficient to pay interest at that rate in respect of that year interest shall be paid in

A.D. 1934.

respect of that year at the highest rate that can be paid out of the revenues so applicable so however that the rate so paid shall be a multiple of one-eighth of one per centum:

And whereas owing to the magnitude and complexity of the work involved the pooling scheme cannot be confirmed or settled prior to the thirtieth day of June nineteen hundred and thirty-four:

And whereas the revenues of the Board applicable to the payment of interest on London Transport "C" Stock in respect of the year ending on the thirtieth day of June nineteen hundred and thirty-four cannot be ascertained until the pooling scheme is confirmed or settled and the receipts of the Board on revenue account determined and a calculation made of the sums (if any) which may become due and payable to or by any of the amalgamated railway companies under or by virtue of the pooling scheme:

And whereas the amounts and classes of transport stock to be issued by the Board as consideration for the transfer of certain undertakings or parts of undertakings (which stock when issued will carry interest for a part or parts of the year ending on the thirtieth day of June nineteen hundred and thirty-four) is in course of determination by the arbitration tribunal and pending such determination the total amount of transport stock upon which interest will be payable for the whole or some part or parts of that year cannot be ascertained:

And whereas it is expedient that such provisions should be made as are in this Act contained for regulating the financial arrangements of the Board pending the confirmation or settlement of the pooling scheme and the determination of the amounts and classes of transport stock to be issued as aforesaid:

And whereas it is expedient that the other provisions contained in this Act should be made:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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 :— A.D. 1934.

Short title.

1. This Act may be cited as the London Passenger Transport (Interim Financial Arrangements) Act 1934.

Interpretation.

2. In this Act unless there be something in the subject or context repugnant to such construction—

The several expressions to which meanings are assigned by section 107 of the Act of 1933 have (save as is otherwise expressly provided in this Act) the same respective meanings;

"The Act of 1933" means the London Passenger Transport Act 1933;

"The Board" means the London Passenger Transport Board;

"The first financial year of the Board" means the period commencing on the first day of July nineteen hundred and thirty-three and ending on the thirtieth day of June nineteen hundred and thirty-four;

"The standard rate" has the same meaning as in section 39 of the Act of 1933.

Accounts and audit.

3.—(1) The period within which the accounts for the first financial year of the Board required to be prepared by section 48 of the Act of 1933 (hereinafter referred to as "the final accounts for the first financial year of the Board") shall be prepared audited and published and copies thereof placed on sale as required by that section shall be a period of two months from the completion of the second financial year of the Board ending on the thirtieth day of June nineteen hundred and thirty-five or such longer period if any as the Minister may allow and if the Board so determine copies of the accounts of the Board for their first two financial years may be published and placed on sale together.

(2) The Board shall within a period of two months after the thirtieth day of June nineteen hundred and thirty-four or such longer period as the Minister may allow prepare a statement (hereinafter referred to as "the provisional statement for the first financial year of the Board") of the estimated balance of the revenues of the Board for their first financial year applicable to

A.D. 1934.

payment of interest on the London Transport "C" Stock for that year In arriving at such balance the Board shall make such provision or reserve as they deem adequate and proper for any sums which may become payable out of the revenues of the Board for that year either to any of the amalgamated railway companies under the pooling scheme when confirmed or settled or by way of interest on any transport stock to be subsequently issued by the Board which when issued will carry interest for a part or parts of that year and for any other contingencies The estimated balance shown by such provisional statement is hereinafter referred to as "the estimated surplus of the Board for their first financial year."

(3) So soon as the provisional statement for the first financial year of the Board shall have been prepared the Board shall send a copy thereof to the Minister and shall publish the statement in such manner as the Minister may direct and shall place copies thereof on sale at a reasonable price.

Payment on account of interest on "C" stock.

4. So soon as the provisional statement for the first financial year of the Board shall have been published the Board shall make a payment on account of the interest for that year on the London Transport "C" Stock then issued at such rate (not exceeding the standard rate and being a multiple of one-eighth of one per centum per annum) as the estimated surplus of the Board for their first financial year shall be sufficient to pay And as and whenever thereafter the Board shall issue any further London Transport "C" Stock which when issued carries interest for any part or parts of the first financial year of the Board the Board shall pay interest thereon for the part or parts of that year for which the stock so issued carries interest at the same rate per annum as that paid under this section on the London Transport "C" Stock then already issued but account shall be taken of any payments on account of interest made under section 11 of the Act of 1933.

Payment of balance of interest on "C" stock.

5. Any revenues of the Board for their first financial year (as shown by the final account for that year when prepared and audited) applicable under paragraph (*f*) of subsection (1) of section 46 of the Act of 1933 to payment of interest on the London Transport "C" Stock in

excess of the amounts already applied in making payments on account of the interest on that stock in pursuance of the last preceding section of this Act shall be applied by the Board (on such date not being later than three months after the thirtieth day of June nineteen hundred and thirty-five or after such later day as the Minister may allow as shall be determined by the Board and notified by advertisement in two or more London daily newspapers) in paying to the then holders of London Transport "C" Stock additional interest on that stock for the first financial year of the Board at such rate (being a multiple of one-eighth of one per centum per annum) as that excess shall be sufficient to pay.

Adjustment as to Metropolitan Assented Stock.

6.—(1) In this section—

"Assented stock" means Metropolitan Assented Stock created by virtue of section 89 of the Act of 1933;

"The trustees" means the persons for the time being acting as trustees for the purposes of the said section 89 and of the trust deed referred to in that section.

(2) If the moneys in the hands of the trustees available for the payment of interest on the assented stock in respect of the year ending on the thirtieth day of June nineteen hundred and thirty-four as a result of any payment made by the Board in pursuance of the section of this Act of which the marginal note is "Payment on account of interest on 'C' stock" are insufficient to pay the interest on the assented stock at the full rate fixed in respect of that year by subsection (9) of section 89 of the Act of 1933 or if at the expiration of two months from the thirtieth day of June nineteen hundred and thirty-four no payment shall have been made by the Board under the section of this Act referred to the amalgamated railway companies at the request of the trustees shall forthwith pay to the trustees such sum as will when added to the moneys (if any) in the hands of the trustees and available for the purpose be sufficient to enable the payment to be thereby made by the trustees of interest on the assented stock at the full rate of interest so fixed in respect of that year.

A.D. 1934.

Supersession of provisions of Act of 1933 and stock regulations inconsistent with this Act.

7. The provisions of this Act shall have effect notwithstanding anything in the Act of 1933 or in the London Transport Stock Regulations 1933 and any provisions of the said Act or regulations which are inconsistent with the provisions of this Act shall be read as being subject to the provisions of this Act and construed accordingly.

Costs of Act.

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

Printed by EYRE AND SPOTTISWOODE LIMITED
FOR
WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh 2
York Street, Manchester 1; 1, St. Andrew's Crescent, Cardiff
80, Chichester Street, Belfast
or through any Bookseller