STATUTORY INSTRUMENTS

2014 No. 1364

TRANSPORT

The Passenger Transport Executives (Exclusion of Bus Operating Powers) (Revocations) (England) Order 2014

Made - - - -	*25th May 2014*
Laid before Parliament	*6th June 2014*
Coming into force - -	*30th June 2014*

The Secretary of State, in exercise of the powers conferred by section 60(5) of the Transport Act 1985(**a**), makes the following Order.

Citation, commencement and application

1.—(1) This Order may be cited as the Passenger Transport Executives (Exclusion of Bus Operating Powers) (Revocations) (England) Order 2014 and comes into force on 30th June 2014.

(2) This Order applies in England only.

Revocations

2. The Orders listed in the Schedule are revoked.

Signed by authority of the Secretary of State for Transport

Stephen Hammond
Parliamentary Under Secretary of State
Department of Transport

25th May 2014

(**a**) 1985 c. 67. Functions of the Secretary of State are, so far as exercisable in relation to Scotland, transferred to the Scottish Ministers by the Scotland Act 1998 (c. 46), section 53. Functions of the Secretary of State are, so far as exercisable in relation to Wales, vested in the Welsh Ministers. Those functions were transferred to the National Assembly for Wales constituted by the Government of Wales Act 1998 (c. 38) by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2; see the entry in Schedule 1 for the Transport Act 1985. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32) they were transferred to the Welsh Ministers immediately after the end of the "initial period" as defined by section 161(5) of that Act.

SCHEDULE

Article 2

Revocations

Instruments revoked	*Reference*
The Tyne and Wear Passenger Transport Executive (Exclusion of Bus Operating Powers) Order 1986	S.I. 1986/1648
The Greater Manchester Passenger Transport Executive (Exclusion of Bus Operating Powers) Order 1986	S.I. 1986/1649
The Merseyside Passenger Transport Executive (Exclusion of Bus Operating Powers) Order 1986	S.I. 1986/1650
The South Yorkshire Passenger Transport Executive (Exclusion of Bus Operating Powers) Order 1986	S.I. 1986/1651
The West Midlands Passenger Transport Executive (Exclusion of Bus Operating Powers) Order 1986	S.I. 1986/1652
The West Yorkshire Passenger Transport Executive (Exclusion of Bus Operating Powers) Order 1986	S.I. 1986/1653

EXPLANATORY NOTE

(This note is not part of the Order)

This instrument revokes six Orders which are spent.

Part 4 of the Transport Act 1985 (c. 67) effected the de-regulation of bus services in Great Britain (outside London) and enabled the removal of the powers of local authorities to operate bus services. The six Orders revoked by this instrument disapplied certain powers in section 10(1) of the Transport Act 1968 (c. 73) ("the 1968 Act") in respect of the six Passenger Transport Executives in England ("the PTEs"). The powers disapplied were those in section 10(1)(i) and (viii) which allowed PTEs to operate bus services and to hire out passenger vehicles.

Section 10(1)(i) of the 1968 Act was repealed, in relation to England and Wales, by the Local Transport Act 2008 (c. 26) ("the 2008 Act") (see section 66(6)(a) and Schedule 7, Part 3), which means the disapplication of that provision in these Orders is no longer required. The 2008 Act also substituted a new section 10(1)(viii) of the 1968 Act, clarified the interpretation of the new provision, and revived the power for PTEs to hire out passenger vehicles by revoking the appropriate provisions in these six Orders (see section 66(1) to (4) of the 2008 Act). This means that PTEs now have the power to purchase vehicles and hire them to the operators of local bus services in particular circumstances.

A full impact assessment has not been produced for this instrument as no impact on business or the public or voluntary sectors is foreseen. The Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk.

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