STATUTORY INSTRUMENTS

1973 No. 154

TRANSPORT

The Tyneside Passenger Transport Area (Transfer of Additional Undertaking) Order 1973

Made - - - -	1*st February* 1973
Laid before Parliament	8*th February* 1973
Coming into Operation	1*st March* 1973

The Secretary of State for the Environment, after consultation with the Sunderland County Borough Council, hereby makes this Order in exercise of powers conferred by sections 17 and 157 of the Transport Act 1968(**a**) and now vested in him (**b**), and of all other enabling powers:—

Commencement and citation

1. This Order shall come into operation on 1st March 1973 and may be cited as the Tyneside Passenger Transport Area (Transfer of Additional Undertaking) Order 1973.

Interpretation

2.—(1) In this Order, except where the context otherwise requires—

"the appointed day" means the 1st April 1973;

"the Designation Order" means the Tyneside Passenger Transport Area (Designation) Order 1969(**c**) and the Tyneside Passenger Transport (Designation of Additional Area) Order 1973(**d**);

"the Executive" means the Tyneside Passenger Transport Executive;

"the identifying date" means the date five years before the making of this Order;

"the Principal Order" means the Tyneside Passenger Transport Area (Transfer of Undertakings) Order 1969(**e**).

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

(**a**) 1968 c. 73.
(**b**) S.I. 1970/1681 (1970 III, p. 5551).
(**c**) S.I. 1969/96 (1969 I, p. 293).
(**d**) S.I. 1973/153.
(**e**) S.I. 1969/1580
(**f**) 1889 c. 63.

Transfer of Undertaking

3. Subject to and in accordance with the provisions of this Order the road passenger transport undertaking carried on by the Sunderland County Borough Council shall be transferred on the appointed day to the Executive.

Application of Principal Order

4.—(1) For the purpose of giving effect to the said transfer and making other provision in connection therewith the Principal Order shall, subject to the modifications contained in paragraph (2) of this Article, have effect as if the Sunderland County Borough were specified in column (1) of Schedule 1 to that Order and as if the said undertaking were specified in relation to that authority in column (2) of that Schedule.

(2) The Principal Order shall be modified in relation to the undertaking hereby transferred and to the Sunderland County Borough Council as a transferring authority within the meaning of that Order, as follows:—

(*a*) the references in the Principal Order to "the appointed day", "the Designation Order" and "the identifying date" shall be construed in accordance with the definitions of those expressions in this Order;

(*b*) the references to the coming into operation of the Principal Order shall be construed as references to the coming into operation of this Order;

(*c*) in Article 11(1) of the Principal Order for the references to the 31st March 1969 and the 31st March 1970 there shall be substituted references to the 31st March 1973 and the 31st March 1974 respectively;

(*d*) in Article 13(3) of the Principal Order for the references to the 31st March1969 and the 31st March 1970 there shall be substituted references to the 31st March 1972 and the 31st March 1974 respectively;

(*e*) in Article 15(2) of the Principal Order for the reference to the 31st January 1970 there shall be substituted a reference to the 30th April 1973;

(*f*) In Schedule 2 to the Principal Order, after Part II, there shall be added the following:—

"*Part III—The Sunderland undertaking*

1. Paragraph (1) of Article 5 shall not apply to the interest of the Sunderland County Borough Council in the premises bounded by Crowtree Road, Brougham Street and Market Square, Sunderland, the ground floor of which premises is used by Sunderland Corporation Transport and is known as the Sunderland Central Area Bus Station.

2. The said Council shall permit the Executive to use the said premises on and after the appointed day to the same extent as, and on terms not less favourable to the Executive than, the said premises were being used by the said Council for the purposes of their transferred undertaking immediately before the appointed day.";

(*g*) in paragraph 1 of Schedule 3 to the Principal Order for the reference to the 1st January 1971 there shall be substituted a reference to the 1st April 1974.

Signed by authority of the Secretary of State.

John Peyton

Minister for Transport Industries,
Department of the Environment.

1st February 1973.

EXPLANATORY NOTE
(*This Note is not part of the Order.*)

This Order provides for the transfer of the Sunderland Corporation Transport undertaking to the Tyneside Passenger Transport Executive on 1st April 1973. Provision is made (Article 4) for adapting the Tyneside Passenger Transport Area (Transfer of Undertakings) Order 1969 so as to give effect to, and to provide for the consequences of, this transfer.