

*Changes to legislation: There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Part 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

#### ABOLITION OF RAIL REGULATOR: CONSEQUENTIAL AMENDMENTS

##### PART 1

##### RAILWAYS ACT 1993 (C. 43)

1 The Railways Act 1993 shall be amended as follows.

**Commencement Information**

**I1** Sch. 2 para. 1 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

2 Section 1 and Schedule 1 (the Rail Regulator) shall cease to have effect.

**Commencement Information**

**I2** Sch. 2 para. 2 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

3 Subject to the following paragraphs of this Schedule, in the provisions specified in the following table—

- (a) for “the Regulator” substitute “ the Office of Rail Regulation ”,
- (b) for “he” and “him”, where they refer only to the Regulator, substitute “ it ”, and
- (c) for “his”, where it refers to the Regulator, substitute “ its ”.

<i>Section</i>	<i>Description</i>	<i>Section</i>	<i>Description</i>
Section 4	General duties	Section 22B	Applications for directions
Section 6	Unauthorised operators	Section 22C	Amendment: supplementary
Section 7	Exemptions	Section 24	Exemption of passenger services
F1	F1	Section 26	Invitations to tender
...	...		
Section 8	Licences	F1	F1
		...	...
Section 9	Conditions of licences	F1	F1

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		...	...
Section 11	Assignment of licences	F1	F1
		...	...
Section 12	Modification by agreement	F1	F1
		...	...
Section 13	Modification references	Section 55	Orders for ensuring compliance
Section 14	Reports on references	Section 56	Procedural requirements
Section 15	Modification following report	Section 57A	Penalties
Section 15A	Power to veto modification	Section 57B	Statement of policy
Section 15B	Modification by Commission	Section 57C	Procedural requirements for penalties
Section 15C	Supplementary	Section 67	Respective functions
Section 16	Modification by order	Section 68	Investigatory functions
Section 16A	Provision &c. of facilities	Section 69	General functions
Section 16B	Exemption	Section 71	Publication of information
Section 16C	Applications for directions	Section 72	Keeping of register: Regulator
Section 16D	Procedure	Section 73	Keeping of register: Authority
Section 16E	Decisions: adequate reward	Section 74	Reports: Regulator
Section 16F	Decisions: other provisions	F1	F1
		...	...
Section 16G	Directions	Section 76	Rail Passengers' Council
Section 16H	Code of Practice	F1	F1
		...	...
Section 16I	Supplementary	F1	F1
		...	...

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Section 17	Access agreements: directions	Section 95	Transfer schemes: power to require information
Section 18	Access agreements: approval	Section 118	National emergency
Section 19	Access agreements: use of installations	Section 145	Disclosure of information
Section 19A	Review of access charges	F1 ...	F1 ...
Section 20	Exemption	F1 ...	F1 ...
Section 21	Model clauses	Schedule 4	Access agreements
Section 22	Amendment	Schedule 4A	Review of access charges
Section 22A	Directions to amend		

#### Textual Amendments

**F1** Sch. 2 para. 3 entries repealed (24.7.2005 for specified purposes, 1.12.2006 in so far as not already in force) by Railways Act 2005 (c. 14), s. 60(2), Sch. 13 Pt. 1 (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2005/1909, art. 2, Sch.; S.I. 2006/2911, art. 2, Sch.

#### Commencement Information

**I3** Sch. 2 para. 3 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 4 In section 7 (exemptions from section 6)—
- (a) in subsection (3)(b) for “it” substitute “ the exemption ”, and
  - (b) in subsection (8) after “he” insert “ or it ”.

#### Commencement Information

**I4** Sch. 2 para. 4 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 5 In section 8(4)(a) and (b) (licences) after “he” insert “ or it ”.

#### Commencement Information

**I5** Sch. 2 para. 5 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 6 In section 9(3)(f) (conditions of licences) after “he” and “him” insert “ or it ”.

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**Commencement Information**

**I6** Sch. 2 para. 6 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 7 In section 15(4A) (modification following report)—
  - (a) omit “he or”, and
  - (b) in paragraphs (a) and (b) omit “it proposes to”.

**Commencement Information**

**I7** Sch. 2 para. 7 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 8 In section 15C(3) (sections 15A and 15B: supplementary)—
  - (a) after “shall” insert “ each ”, and
  - (b) in each place, omit “his or”.

**Commencement Information**

**I8** Sch. 2 para. 8 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 9 In section 20(3)(b) (exemption of railway facilities from sections 17, 18 and 22A) for “it” substitute “ the exemption ”.

**Commencement Information**

**I9** Sch. 2 para. 9 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 10 In section 21(5) (model clauses for access contracts)—
  - (a) after “any” insert “ of its ”, and
  - (b) omit “of his”.

**Commencement Information**

**I10** Sch. 2 para. 10 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

F<sup>2</sup>11 .....

**Textual Amendments**

**F2** Sch. 2 para. 11 repealed (1.12.2006) by Railways Act 2005 (c. 14), s. 60(2), Sch. 13 Pt. 1 (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2006/2911, art. 2, Sch.

**Commencement Information**

**I11** Sch. 2 para. 11 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 12 In section 57A(5)(a) (penalties) for the second “it” substitute “ the Authority ”.

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**Commencement Information**

**I12** Sch. 2 para. 12 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 13 In section 57B (statement of policy)—
- (a) in subsection (3) omit “or his”, and
  - (b) in subsection (4)(a) omit “his or”.

**Commencement Information**

**I13** Sch. 2 para. 13 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 14 In section 74 (reports)—
- (a) in subsection (1) for “after the end of the first relevant financial year and of each subsequent financial year,” substitute “ after the end of each financial year,”, and
  - (b) in subsection (8) omit the definition of “first relevant financial year”.

**Commencement Information**

**I14** Sch. 2 para. 14 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 15 In section 76(5A) (matters referred to the Authority by the Rail Passengers' Council) for “him” substitute “ the Office of Rail Regulation ”.

**Commencement Information**

**I15** Sch. 2 para. 15 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

<sup>F3</sup>16 .....

**Textual Amendments**

**F3** Sch. 2 para. 16 repealed (24.7.2005) by Railways Act 2005 (c. 14), s. 60(2), Sch. 13 Pt. 1 (with s. 14(4)(5), Sch. 11 para. 11(2)); S.I. 2005/1909, art. 2, Sch.

**Commencement Information**

**I16** Sch. 2 para. 16 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 17 In section 151(1) (general interpretation) omit the definition of “the Regulator”.

**Commencement Information**

**I17** Sch. 2 para. 17 in force at 5.7.2004 by S.I. 2004/827, art. 4(g)

- 18 In Part I of Schedule 6 (railway administration orders) for “the Rail Regulator” substitute “ the Office of Rail Regulation ”.

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**Commencement Information**

**I18** [Sch. 2 para. 18](#) in force at 5.7.2004 by [S.I. 2004/827](#), **art. 4(g)**

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