
Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, Cross Heading: Transfers relating to the provision, improvement or development of railway facilities. (See end of Document for details)

SCHEDULES

SCHEDULE 1

TRANSFER ETC. OF FUNCTIONS OF THE STRATEGIC RAIL AUTHORITY

PART 1

TRANSFER AND ABOLITION OF FUNCTIONS

Transfers relating to the provision, improvement or development of railway facilities

- 11 (1) In sections 16A, 16C(3), 16D, 16E(2)(a), 16F(3)(a) and 16G of the 1993 Act (directions by Office of Rail Regulation, on applications made by or with the consent of the SRA, to provide, improve or develop railway facilities), for “Authority”, wherever occurring, substitute “ appropriate facilities authority ”.
- (2) In section 16A of that Act, in subsection (3), for “Authority's consent” substitute “ consent of the appropriate facilities authority ”.
- (3) In that section, after that subsection insert—
- “(3A) In this section and sections 16B to 16G below ‘the appropriate facilities authority’—
- (a) in relation to facilities in Scotland, means the Scottish Ministers; and
- (b) in relation to any other facilities, means the Secretary of State.”
- (4) In section 16B(1) and (4) of that Act (exemptions of facilities from section 16A), for “Secretary of State”, in each place, substitute, “ appropriate facilities authority ”.
- (5) In section 16B of that Act, after subsection (6) insert—
- “(7) A statutory instrument containing an order made under this section by the Scottish Ministers shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.”
- (6) An exemption granted under subsection (1) of section 16B of that Act before the commencement of this paragraph—
- (a) which is in force at the time of the commencement of this paragraph or is to come into force after that time, and
- (b) is contained in an order the power to make which is exercisable after that time by the Scottish Ministers,
- is to have effect after that time as if contained in an order made by those Ministers which is not subject to subsection (7) of that section.

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Commencement Information

II Sch. 1 para. 11 in force at 16.10.2005 by S.I. 2005/2812, art. 2(1), Sch. 1

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