

## SCHEDULE 1

Regulation 2(4)

### AMENDMENTS AND REPEALS

#### PART 1

##### AMENDMENTS AND REPEALS OF PRIMARY LEGISLATION

###### **The Parliamentary Commissioner Act 1967**

1. In Schedule 2 to the Parliamentary Commissioner Act 1967(1) (departments and authorities subject to investigation), omit the entry relating to the International Rail Regulator.

###### **The House of Commons Disqualification Act 1975**

2. In Part 3 of Schedule 1 to the House of Commons Disqualification Act 1975(2) (offices disqualifying for membership), omit the entry relating to the International Rail Regulator.

###### **The Northern Ireland Assembly Disqualification Act 1975**

3. In Part 3 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975(3) (offices disqualifying for membership), omit the entry relating to the International Rail Regulator.

###### **Railways Act 1993**

4. In the Railways Act 1993(4)—

- (a) in section 17 (access agreements: directions requiring facility owners to enter into contracts for the use of their railway facilities) omit—
  - (i) the words “or an international railway access contract” in subsection (1)(b);
  - (ii) subsection (1)(d) and “or” preceding it; and
  - (iii) the definitions of “the Directives”, “implementing regulation” and “international railway access contract” in subsection (7);
- (b) at the end of section 17(1)(b) insert “or”;
- (c) in section 18 (access agreements: contracts requiring the approval of the Office of Rail Regulation) omit—
  - (i) subsection (3)(b) and “or” preceding it; and
  - (ii) in subsection (8), the words ““international railway access contract””;
- (d) in section 22A (directions to require amendment permitting more extensive use)—
  - (i) in subsection (4)(b) omit the words “or an international railway access contract”; and
  - (ii) in subsection (7)(a) for the words ““international railway access contract” and “lease” have” substitute ““lease” has”;

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(1) 1967 c. 13, the reference to the International Rail Regulator was inserted by S.I. 1998/1340, see regulation 9(2) and paragraph 7 of Schedule 2.

(2) 1975 c. 24, the reference to the International Rail Regulator was inserted by S.I. 1998/1340, see regulation 9(2) and paragraph 8 of Schedule 2.

(3) 1975 c. 25, the reference to the International Rail Regulator was inserted by S.I. 1998/1340, see regulation 9(2) and paragraph 8 of Schedule 2.

(4) 1993 c. 43, the amendments made to these sections which are relevant to these Regulations are that section 17(1) was amended by the Railways and Transport Safety Act 2003(c. 20.) section 16(5), schedule 2 Part 1 paragraphs 1 and 3(a), and section 17(1) and (7) by S.I. 1998/1340, regulation 21(5) - (8); section 145(2)(g) was amended by S.I. 1998/1340 regulation 21(10).

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(e) in section 145(general restrictions on disclosure of information)—

(i) omit subsection (2)(g); and

(ii) before subsection (2)(h), insert—

“(gb) for the purpose of facilitating the carrying out by the Office of Rail Regulation of any of its functions under any instrument made for the purpose of implementing Council Directive [91/440/EEC](#) dated 29 July 1991 on the development of the Community’s railways, as amended by Directive [2001/12/EC](#) dated 26 February 2001 and Directive [2004/51/EC](#) dated 29 April 2004, both of the European Parliament and of the Council, and Directive [2001/14/EC](#) dated 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure, as amended by Directive [2004/49/EC](#) dated 29 April 2004 on safety on the Community’s railways, both of the European Parliament and of the Council;”.

### **The Greater London Authority Act 1999**

**5.** In the Greater London Authority Act 1999(5), in section 235 (restrictions on the disclosure of information)—

(a) in subsection (2)(b), for “or the Railways Act 2005” substitute—

“,the Railways Act 2005 or any subordinate legislation made for the purpose of implementing—

(i) Council Directive [91/440/EEC](#) dated 29 July 1991 on the development of the Community’s railways, as amended by Directive [2001/12/EC](#) dated 26 February 2001 and Directive [2004/51/EC](#) dated 29 April 2004, both of the European Parliament and of the Council; or

(ii) Directive [2001/14/EC](#) dated 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure, as amended by Directive [2004/49/EC](#) dated 29 April 2004 on safety on the Community’s railways, both of the European Parliament and of the Council;”;

(b) omit subsection 2(h).

### **The Channel Tunnel Rail Link Act 1996**

**6.** In the Channel Tunnel Rail Link Act 1996(6), omit section 22 (restriction of functions in relation to competition use).

### **Railways and Transport Safety Act 2003**

**7.** In Schedule 3 to the Railways and Transport Safety Act 2003(7) (abolition of Rail Regulator, savings, &c), omit paragraph 6.

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(5) [1999 c. 29](#). Section 235(2)(b) was amended by the Transport Act [2000 \(c. 38.\)](#), section 215 and Schedule 16 paragraphs 58, and 66(1) and (2), and by the Railways Act [2005 \(c. 14.\)](#), section 59(1) and Schedule 12 paragraph 14(1) and (5)(b). There are other amendments to this section which are not relevant to these Regulations.

(6) [1996 c. 61](#). Section 22 was amended by the Enterprise Act [2002 \(c. 40.\)](#), section 278, schedule 25, paragraphs 35(1), (3)(a) and (c) and Schedule 26; S.I. [2003/1398](#), article 2 and Schedule paragraph 24(1) and (2); the Railways and Transport Safety Act [2003 \(c. 20.\)](#), section 16(5) and Schedule 2; S.I. [2004/1261](#) regulation 5 and Schedule 2 paragraph 8.

(7) [2003 c. 20](#).

## PART 2

### REPEAL OF SECONDARY LEGISLATION

#### **Scottish Parliament (Disqualification) Order 2003**

**8.** In Part I of Schedule 1 to the Scottish Parliament (Disqualification) Order 2003<sup>(8)</sup>, omit the words “The International Rail Regulator”.

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<sup>(8)</sup> S.I. 2003/409.