

Changes to legislation: Transport Act 2000, Cross Heading: Railways Act 1993 (c.43) is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 27

MINOR AND CONSEQUENTIAL AMENDMENTS ABOUT RAILWAYS

Railways Act 1993 (c.43)

17 The Railways Act 1993 has effect subject to the following amendments.

Commencement Information

- II** Sch. 27 para. 17 wholly in force at 1.2.2001, see s. 275(1)(2) and [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

18 In section 7 (licence exemptions), omit subsection (10) (limit on grant of licence exemption by Secretary of State).

Commencement Information

- I2** Sch. 27 para. 18 wholly in force at 1.2.2001, see s. 275(1)(2) and [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

19 In section 9 (licence conditions), after subsection (3) insert—

“(3A) Conditions included in a licence by virtue of subsection (1)(a) above may include provision about any matter which is dealt with (whether in the same or a different manner) by an access agreement.”

Commencement Information

- I3** Sch. 27 para. 19 wholly in force at 1.2.2001, see s. 275(1)(2) and [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

20 (1) Section 13 (modification references to Competition Commission) is amended as follows.

(2) In subsection (8)(c)(i), for “Director” substitute “ Regulator ”.

(3) In subsection (8A)(a)—

(a) for “and 85” substitute “ , 85 ”, and

(b) after “documents)” insert “ and 93B (false or misleading information) ”.

Commencement Information

- I4** Sch. 27 para. 20 wholly in force at 1.2.2001, see s. 275(1) and [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

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21 In section 17 (directions requiring facility owners to enter into contracts for use of their railway facilities), after subsection (7) insert—

“(7A) Any reference in this section to obtaining permission to use a railway facility includes, where the facility is track, permission to connect other track to it.”

Commencement Information

I5 Sch. 27 para. 21 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2 Pt. II**)

22 In section 18(9) (access contracts requiring approval of Regulator), after paragraph (a) insert—

“(aa) subsection (7A),”.

Commencement Information

I6 Sch. 27 para. 22 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2 Pt. II**)

23 (1) Section 20 (exemption of railway facilities from sections 17 and 18) is amended as follows.

(2) In subsections (1), (3) and (13), after “above” insert “ and section 22A below ”.

(3) In subsection (2), omit the words following paragraph (b).

(4) In the sidenote, for “and 18” substitute “ , 18 and 22A ”.

Commencement Information

I7 Sch. 27 para. 23 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2 Pt. II**)

24 (1) Section 27 (transfer of franchise assets and shares) is amended as follows.

(2) In subsection (8), for “transfer scheme” substitute “ a scheme under Schedule 21 to the Transport Act 2000 ”.

^{F1}(3)

Textual Amendments

F1 Sch. 27 para. 24(3) 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.**

^{F2}25

Textual Amendments

F2 Sch. 27 paras. 25-29 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.**

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F²26

Textual Amendments

F2 Sch. 27 paras. 25-29 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.](#)

F²27

Textual Amendments

F2 Sch. 27 paras. 25-29 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.](#)

F²28

Textual Amendments

F2 Sch. 27 paras. 25-29 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.](#)

F²29

Textual Amendments

F2 Sch. 27 paras. 25-29 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.](#)

30 (1) Section 55 (orders for securing compliance) is amended as follows.

F³(2)

(3) In subsections (2) and (4), for “subsection (5)” substitute “ subsections (5) to (5B) ”.

(4) In subsection (5)(a), for “or, as the case may be, section 5 above” substitute “ above or, as the case may be, section 207 of the Transport Act 2000 ”.

(5) Omit subsection (12).

Textual Amendments

F3 Sch. 27 para. 30(2) 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

I8 Sch. 27 para. 30 wholly in force at 1.2.2001, see s. 275(1)(2) and [S.I. 2001/57](#), art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

31 In the sidenote for section 56 insert at the end “ for section 55 orders ”.

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Commencement Information

I9 Sch. 27 para. 31 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2 Pt. II**)

- 32 (1) In section 57 (validity and effect of orders) is amended as follows.
- (2) In subsection (2), omit paragraph (b).
- (3) After that subsection insert—
- “(2A) If such an application is made in relation to a provision of an order requiring the payment of a sum in the event of a contravention and the sum would be payable before the time when the application is determined, it need not be paid until that time.
- (2B) Where such an application is so made the court, if satisfied as mentioned in subsection (2) above, may (instead of quashing the order or the provision of the order) make provision under either or both of paragraphs (a) and (b) of subsection (2C) below.
- (2C) The provision referred to in subsection (2B) above is—
- (a) provision substituting for the sum, or provision for determining a sum, specified in the order such lesser sum, or such other provision for determining a sum, as the court considers appropriate in all the circumstances of the case; and
- (b) provision substituting for the date by which the sum is to be paid specified in or determined in accordance with the order such later date as the court considers appropriate in all the circumstances of the case.
- (2D) Where the court substitutes a lesser sum, or different provision for determining a sum, it may require the payment of interest on the new sum at such rate, and from such date, as it determines; and where it specifies as the date by which the sum is to be paid a date before the determination of the application it may require the payment of interest on the sum from that date at such rate as it determines.”
- (4) In subsection (9), for “section 58” substitute “ sections 57F and 58 ”.
- (5) In the sidenote, after “of” insert “ section 55 ”.

Commencement Information

I10 Sch. 27 para. 32 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2 Pt. II**)

- 33 (1) Section 58 (power to require information) is amended as follows.
- (2) In subsection (1)—
- (a) for the words from “may be” to “requirement, the” substitute “may have contravened or be contravening—
- (a) a relevant condition or requirement, or

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(b) a final or provisional order made by the appropriate authority,

the ”, and

(b) after “55” insert “ or 57A ”.

(3) In the sidenote insert at the end “ for purposes of sections 55 and 57A ”.

Commencement Information

I11 Sch. 27 para. 33 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to the transitional provision and saving in Sch. 2 Pt. II)

34 In section 60(5)(c) (effect of petition for railway administration order), after “55” insert “ or 57A ”.

Commencement Information

I12 Sch. 27 para. 34 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to the transitional provision and saving in Sch. 2 Pt. II)

F⁴35

Textual Amendments

F4 Sch. 27 para. 35 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.

36 (1) Section 72(2) (matters to be entered in register maintained by Regulator) is amended as follows.

(2) In paragraph (a) (provisions about licences), after sub-paragraph (viii) (inserted by Schedule 17) insert—

“(ix) every penalty imposed by the Regulator under section 57A above;

(x) every statement of policy published by the Regulator under that section;”.

(3) In paragraph (b) (provisions about access agreements), after sub-paragraph (v) insert—

“(va) every direction under section 22A above;

(vb) every notice given by or to the Regulator or the Competition Commission under Schedule 4A to this Act;”.

Commencement Information

I13 Sch. 27 para. 36 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to the transitional provision and saving in Sch. 2 Pt. II)

37 (1) Section 73(2) (matters to be entered in register by Authority) is amended as follows.

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- (2) In paragraph (d) (amendments of franchise agreements), insert at the end “ other than any which are not likely to have a material effect on the provision of services under the agreement or on any sums payable under the agreement. ”
- (3) After paragraph (e) insert—
- “(f) every penalty imposed by the Authority under section 57A above;
 - (g) every statement of policy published by the Authority under that section;”.

Commencement Information

I14 Sch. 27 para. 37 wholly in force at 1.2.2001, see s. 275(1)(2) and [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

- 38 In section 80 (furnishing of information to Authority)—
- (a) in subsection (1), for the words from the beginning to the end of paragraph (c) substitute “ Licence holders ” and insert at the end “ or the Transport Act 2000 ”, and
 - (b) omit subsection (6).

Commencement Information

I15 Sch. 27 para. 38 wholly in force at 1.2.2001, see s. 275(1)(2) and [S.I. 2001/57, art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

- 39 (1) Section 83 (interpretation) is amended as follows.
- (2) For the definition of “appropriate officer” in subsection (1) substitute—
- ““appropriate authority” has the meaning given by section 55(10) above;”.
- ^{F5}(3)
- (4) After the definition of “station services” in that subsection insert—
- ““through ticket” means—
- (a) a ticket which is valid for a journey which involves use of the services of more than one passenger service operator; or
 - (b) a combination of two or more tickets issued at the same time which are between them valid for such a journey;
- and “through ticketing” shall be construed accordingly;”.
- ^{F6}(5)

Textual Amendments

F5 Sch. 27 para. 39(3) 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.](#)

F6 Sch. 27 para. 39(5) 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.](#)

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Commencement Information

I16 Sch. 27 para. 39 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to the transitional provision and saving in Sch. 2 Pt. II)

- 40 (1) Section 135 (concessionary travel) is amended as follows.
- (2) In subsection (6)(a), for “(5)” substitute “ (4) ”.
- (3) In subsection (9), for “subsections (4) and (5) above are” substitute “ subsection (4) above is ”.

Commencement Information

I17 Sch. 27 para. 40 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to the transitional provision and saving in Sch. 2 Pt. II)

- 41 (1) Section 145 (restrictions on disclosure of information) is amended as follows.
- ^{F7}(2)
- (3) After subsection (5) insert—
- “(5A) Subsection (1) above does not prevent the transfer of records in accordance with section 3(4) of the ^{M1}Public Records Act 1958.”

Textual Amendments

F7 Sch. 27 para. 41(2) repealed (8.6.2005) 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. 2005/1444, art. 2(1), Sch. 1

Commencement Information

I18 Sch. 27 para. 41 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to the transitional provision and saving in Sch. 2 Pt. II)

Marginal Citations

M1 1958 c. 51.

- 42 (1) Section 150(1) (Crown application) is amended as follows.
- (2) In paragraph (a), for “22” substitute “ 22C ”.
- (3) In paragraph (b), for “55 to 58, except sections 55(8) and 58(4) and (5),” substitute “ 55(1) to (7) and (9) to (11), sections 56 and 57 and section 58(1) to (3), (6) and (7); ”.

Commencement Information

I19 Sch. 27 para. 42 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to the transitional provision and saving in Sch. 2 Pt. II)

^{F8}43

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Textual Amendments

F8 Sch. 27 para. 43 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.

44 (1) Section 154(3) (extent) is amended as follows.

(2) For paragraph (a) substitute—
“(a) section 36(1), (4) and (5);”.

(3) For paragraph (c) substitute—
“(c) sections 124 and 129(3);”.

Commencement Information

I20 Sch. 27 para. 44 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), [Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

^{F9}45

Textual Amendments

F9 Sch. 27 para. 45 repealed (5.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), [Sch. 8](#); S.I. 2004/827, art. 4(i)

^{F10}46

Textual Amendments

F10 Sch. 27 para. 46 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.

^{F11}47

Textual Amendments

F11 Sch. 27 para. 47 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.

48 In paragraph 2 of Schedule 6 (effect of administration order), after “55” insert “or 57A”.

Commencement Information

I21 Sch. 27 para. 48 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), [Sch. 2 Pt. I](#) (subject to the transitional provision and saving in [Sch. 2 Pt. II](#))

49 (1) Schedule 11 (pensions) is amended as follows.

(2) In paragraph 1(1) (interpretation), in paragraph (a) of the definition of “eligible persons”—

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- (a) after “of the Board,” insert—
 - “(ia) the Authority or any subsidiary of the Authority,”
- and
- (b) for “franchise company” substitute “body corporate which is, or is to be, the franchisee or the franchise operator under a franchise agreement”.
- (3) In paragraphs 3(4) and 4(5), for “after consultation with” substitute “with the consent of”.
- (4) In paragraph 10(15), for “Board” (in both places) substitute “ Authority ”.
- (5) In paragraph 11(10), in the definition of “relevant employer” insert at the end—
 - “(d) the Authority; or
 - (e) a wholly owned subsidiary of the Authority.”

Commencement Information

I22 Sch. 27 para. 49 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2 Pt. II**)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 146(1)(defn.)(a)(b) by [2000 c. 38 s. 274 Sch. 31 Pt. 2](#)
- s. 19(2)(aa) inserted by [S.I. 2019/93, Sch. 1 para. 9\(1C\)\(b\)](#) (as inserted) by [S.I. 2019/1245 reg. 25](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 131A(2)(a) words omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(i\)](#)
- s. 131A(2)(b) omitted by [2017 c. 21 Sch. 2 para. 13\(a\)\(ii\)](#)
- s. 131A(4) omitted by [2017 c. 21 Sch. 2 para. 13\(b\)](#)
- s. 131A(5)(b) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(i\)](#)
- s. 131A(5)(c) words omitted by [2017 c. 21 Sch. 2 para. 13\(c\)\(ii\)](#)
- s. 132B(1)(a) omitted by [2017 c. 21 Sch. 2 para. 19](#)
- [Sch. 16 para. 34\(4\)\(a\)para. 34\(4\)\(b\)\(c\)](#) repealed by [2005 c. 14 Sch. 13 Pt. 1](#)