

Changes to legislation: There are currently no known outstanding effects for the Railways Act 1993, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 3.

THE [F1RAIL PASSENGERS’ COUNCIL]

Textual Amendments

- F1** Words in heading to Sch. 3 substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 13(8)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

Preliminary

F2₁

Textual Amendments

- F2** Sch. 3 para. 1 repealed (1.2.2001) by 2000 c. 38, s. 227, Sch. 22 para. 13(2), **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

Remuneration of, and allowances for, [F3members]

Textual Amendments

- F3** Words in cross-heading substituted (1.2.2001) by 2000 c. 38, s. 229, **Sch. 23 para. 3(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

- 2 There shall be paid to the chairman [F4and other members] of the [F5Rail Passengers’ Council] such remuneration, and such travelling and other allowances, as the [F6Authority] may F7 . . . determine.

Textual Amendments

- F4** Words in Sch. 3 para. 2 inserted (1.2.2001) by 2000 c. 38, s. 229, **Sch. 23 para. 3(1)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F5** Words in Sch. 3 para. 2 substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 13(3)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F6** Word in Sch. 3 para. 2 substituted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 24(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F7** Words in Sch. 3 para. 2 repealed (1.2.2001) by 2000 c. 38, ss. **251(4)**, 274 Sch. 31 Pt. IV; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

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Allowances for other members

^{F8}3

Textual Amendments

F8 Sch. 3 para. 3 repealed (1.2.2001) by 2000 c. 38, ss. 229, 274, Sch. 23 para. 3(3), **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

Administration etc.

- 4 The [^{F9}Authority] shall make arrangements for the [^{F10}Rail Passengers’ Council] to be provided with office accommodation and with such services as he considers appropriate to enable them to carry out their functions.

Textual Amendments

F9 Word in Sch. 3 para. 4 substituted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 24(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

F10 Words in Sch. 3 para. 4 substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 13(3)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

Proceedings

- 5 (1) Subject to the following provisions of this paragraph and paragraph 6 below, the [^{F11}Rail Passengers’ Council] may regulate their own procedure, including quorum.
- (2) The [^{F11}Rail Passengers’ Council] shall meet when convened by the chairman, and in any case shall meet at least twice a year.
- (3) Without prejudice to the discretion of the chairman to call a meeting whenever he thinks fit, he shall call a meeting when required to do so by any three members of the [^{F11}Rail Passengers’ Council].
- (4) Minutes shall be kept of the proceedings at every meeting of the [^{F11}Rail Passengers’ Council]; and copies of those minutes shall be sent to the Secretary of State and the [^{F12}Authority].
- (5) A person who is a member of the [^{F11}Rail Passengers’ Council] by virtue of being the chairman of a [^{F13}Rail Passengers’ Committee] may appoint another member of that [^{F13}Rail Passengers’ Committee] to attend any meeting of the committee in his stead.
- (6) The validity of any proceedings of the committee shall not be affected by any vacancy amongst the members or by any defect in the appointment of a member.

Textual Amendments

F11 Words in Sch. 3 para. 5(1)-(5) substituted (1.2.2001) by 2000 c. 38, ss. 227, 275(1), **Sch. 22 para. 13(4)(b)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

F12 Word in Sch. 3 para. 5(4) substituted (1.2.2001) by 2000 c. 38, ss. 216, 275(1), **Sch. 17 para. 24(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

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F13 Words in Sch. 3 para. 5(5) substituted (1.2.2001) by 2000 c. 38, ss. 227, 275(1), Sch. 22 para. 13(4)(a); S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to savings and transitional provisions in Sch. 2 Pt. II)

Admission of public to meetings

6 (1) Subject to sub-paragraph (2) below, meetings of the [F14Rail Passengers’ Council] shall be open to the public.

(2) The public shall be excluded during any item of business where—

- (a) it is likely, were members of the public to be present during that item, that information furnished in confidence to the [F14Rail Passengers’ Council] by the [F15the Office of Rail Regulation] or the [F16Authority] would be disclosed in breach of the obligation of confidence;
- (b) the [F14Rail Passengers’ Council] have resolved that, by reason of the confidential nature of the item or for other special reasons stated in the resolution, it is desirable in the public interest that the public be excluded;
- (c) it is likely, were members of the public to be present during that item, that there would be disclosed to them—
 - (i) any matter which relates to the affairs of an individual, or
 - (ii) any matter which relates specifically to the affairs of a particular body of persons, whether corporate or unincorporate, [F17or
- (d) the circumstances are such as are specified in, or determined by a resolution of the Rail Passengers’ Council in accordance with, an order made by the Secretary of State.]

where public disclosure of that matter would or might, in the opinion of the [F14Rail Passengers’ Council], seriously and prejudicially affect the interests of that individual or body.

(3) The [F14Rail Passengers’ Council] shall give such notice—

- (a) of any meeting of the [F14Rail Passengers’ Council] which is open to the public, and
- (b) of the business to be taken at that meeting (other than items during which the public is to be excluded),

as they consider appropriate for the purpose of bringing the meeting to the attention of interested members of the public.

Textual Amendments

F14 Words in Sch. 3 para. 6(1)(2)(a)(b)(3)(a) substituted (1.2.2001) by 2000 c. 38, ss. 227, Sch. 22 para. 13(5); S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to savings and transitional provisions in Sch. 2 Pt. II)

F15 Words in Sch. 3 substituted (5.7.2004) by Railways and Transport Safety Act 2003 (c. 20), ss. 16, 120, {Sch. 2 para. 3(a) Table}; S.I. 2004/827, art. 4(g)

F16 Word in Sch. 3 para. 6(2)(a) substituted (1.2.2001) by 2000 c. 38, s. 252, Sch. 27 para. 47; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to savings and transitional provisions in Sch. 2 Pt. II)

F17 Sch. 3 para. 6(2)(d) and the word immediately preceding it inserted (1.2.2001) by 2000 c. 38, s. 229, Sch. 23 para. 7; S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to savings and transitional provisions in Sch. 2 Pt. II)

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Sub-committees

- 7 (1) The [^{F18}Rail Passengers’ Council] may ^{F19}. . . —
- (a) establish [^{F20}committees] through which the [^{F18}Rail Passengers’ Council] may carry out such of their functions as they may determine;
 - (b) appoint such persons (including persons who are not members of the [^{F18}Rail Passengers’ Council]) to be members of any such [^{F21}committee] as they may determine; and
 - (c) regulate the procedure of any such [^{F21}committee].
- (2) Persons appointed under sub-paragraph (1) above who are not members of the [^{F18}Rail Passengers’ Council] may be reimbursed for their travelling expenses and such of their out-of-pocket expenses as do not relate to loss of remuneration.

Textual Amendments

- F18** Words in *Sch. 3 para. 7* substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 13(6)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in *Sch. 2 Pt. II*)
- F19** Words in *Sch. 3 para. 7(1)* repealed (1.2.2001) by 2000 c. 38, s. 229, 275(1), **Sch. 23 para. 9(a)**, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in *Sch. 2 Pt. II*)
- F20** Words in *Sch. 3 para. 7(1)(a)* substituted (1.2.2001) by 2000 c. 38, s. 229, **Sch. 23 para. 9(b)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in *Sch. 2 Pt. II*)
- F21** Words in *Sch. 3 para. 7(1)(b)(c)* substituted (1.2.2001) by 2000 c. 38, s. 229, **Sch. 23 para. 9(c)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in *Sch. 2 Pt. II*)

Financial provisions

- 8 (1) There shall be paid by the [^{F22}Authority]—
- (a) any sums payable to or in respect of any person under paragraph 2 ^{F23}. . . or 7 above; and
 - (b) any expenses incurred by the [^{F24}Rail Passengers’ Council (provided that the Rail Passengers’ Council complied with their financial duties in incurring them)].
- ^{F25}(2) The Authority may determine the financial duties of the Rail Passengers’ Council; and different determinations may be made for different functions of the Rail Passengers’ Council.
- (3) The Authority shall give the Rail Passengers’ Council notice of every determination of its financial duties; and such a determination may—
- (a) relate to a period beginning before, on or after the date on which it is made;
 - (b) contain supplementary provisions; and
 - (c) be varied by a subsequent determination.]

Textual Amendments

- F22** Words in *Sch. 3 para. 8(1)* substituted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 24(3)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in *Sch. 2 Pt. II*)
- F23** Word in *Sch. 3 para. 8(1)(a)* repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in *Sch. 2 Pt. II*)

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- F24** Words in Sch. 3 para. 8(1)(b) substituted (1.2.2001) by 2000 c. 38, s. 229, **Sch. 23 para. 5(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F25** Sch. 3 para. 8(2)(3) substituted (1.2.2001) by 2000 c. 38, s. 229, **Sch. 23 para. 5(3)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

Amendment of other Acts

F269

Textual Amendments

- F26** Sch. 3 para. 9 repealed (1.2.2001) by 2000 c. 38, s. 227, 274, Sch. 22 para. 13(7), **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

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