



Greater London Authority Act 1999

1999 CHAPTER 29

PART IV

TRANSPORT

CHAPTER VI

RAILWAYS

Miscellaneous

205 Amendment of franchise agreements to take account of the Authority.

- (1) Any franchise agreement entered into under Part I of the ^{M1}Railways Act 1993 before the day on which this Act is passed shall have effect on and after that day with the following amendment.
- (2) In paragraph (a) of the definition of Local Authority in the agreement, after in England, there shall be inserted “ the Greater London Authority, Transport for London, ”.

Marginal Citations

M1 1993 c. 43.

206 Secretary of State to consult Mayor before changing amount of penalty fare.

- (1) Section 130 of the ^{M2}Railways Act 1993 (penalty fares) shall be amended as follows.
- (2) After subsection (9) there shall be inserted—
 - “(9A) Before making any regulations which have the effect of varying the amount, or the greatest amount, which a person within, or travelling to or from, Greater

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London may be charged by way of penalty fare, the Secretary of State must consult the Mayor of London.”

Marginal Citations

M2 1993 c. 43.

207 Restrictions on contracting out certain services.

- (1) For the purposes of this section, the reserved services are those whose provision by a person would involve that person in performing or securing the performance, for the purposes of any TfL passenger rail service, of—
 - (a) any station-operating function; or
 - (b) any train-operating function.
- (2) Transport for London shall not, without the consent of the Secretary of State, enter into or carry out any agreement under which an outside contractor is to provide or secure the provision of a reserved service for Transport for London or a subsidiary of Transport for London.
- (3) Where a company which is a subsidiary of Transport for London provides or is to provide, or secures or is to secure the provision of, a reserved service for Transport for London or a subsidiary of Transport for London, Transport for London shall not, without the consent of the Secretary of State, enter into any transaction or series of transactions the result of which would be that the company—
 - (a) would cease to be a subsidiary of Transport for London; but
 - (b) would nevertheless provide or continue to provide, or secure or continue to secure the provision of, the reserved service.
- (4) Nothing in this section applies in relation to a contract of employment between an individual and Transport for London or a subsidiary of Transport for London.
- (5) The Secretary of State may by order provide exceptions from subsection (2) or (3) above.
- (6) Any consent of the Secretary of State under this section must be in writing and—
 - (a) may be given in relation to any particular transaction or description of transactions; and
 - (b) may be given subject to conditions.
- (7) For the purposes of this section—

station-operating function means any of the following functions—

 - (a) the sale or collection of tickets at stations;
 - (b) the inspection of tickets, or the imposing of penalty fares, at or in the vicinity of a station, but otherwise than on a train;
 - (c) the making of oral public announcements at stations;
 - (d) the provision of information orally to members of the public at stations, otherwise than by means of public announcements;
 - (e) any duties of staff employed on platforms at stations;
 - (f) ^{F1} ...
 - (g) any other function involved in the management or operation of a station;

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train-operating function means any of the following functions—

- (a) the driving of passenger trains otherwise than within a depot;
- (b) any duties of guards on passenger trains;
- (c) the sale, collection or inspection of tickets, or the imposing of penalty fares, on passenger trains;
- (d) the operation of signals for controlling the movement of passenger trains otherwise than within a depot;
- (e) the exercise of control over the movement of passenger trains otherwise than within a depot;
- (f) any other function involved in the operation of passenger trains otherwise than within a depot.

(8) In this section—

contract of employment means any contract of service or apprenticeship;

outside contractor means a person other than Transport for London or a subsidiary of Transport for London;

passenger train means a train which is being, has just been, or is about to be, used for the provision of a TfL passenger rail service;

premises includes any land, building or structure;

railway has the meaning given in section 67(1) of the ^{M3}Transport and Works Act 1992;

reserved service shall be construed in accordance with subsection (1) above;

station means any land or other property which consists of premises used as, or for the purposes of, or otherwise in connection with, a railway passenger station or railway passenger terminal (including any approaches, forecourt, cycle store or car park), whether or not the land or other property is, or the premises are, also used for other purposes;

TfL passenger rail service means any public service for the carriage of passengers by railway which is under the control of Transport for London or a subsidiary of Transport for London;

ticket includes any other authority to travel or to be present in a part of a station where such an authority is required.

(9) The Secretary of State may by order amend this section for the purpose of varying the meaning in this section of any of the following expressions—

- (a) train-operating function;
- (b) station-operating function;
- (c) outside contractor; or
- (d) TfL passenger rail service.

Textual Amendments

- F1** Words in s. 207(7) omitted (15.7.2003) by virtue of [The Transport for London \(Reserved Services\) \(London Underground Limited\) Exception Order 2003 \(S.I. 2003/1613\)](#), arts. 1, 4

Modifications etc. (not altering text)

- C1** S. 207(2) excluded (2.4.2004) by [The Docklands Light Railway \(Woolwich Arsenal Extension\) Order 2004 \(S.I. 2004/757\)](#), arts. 1, **48(5)**

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- C2** S. 207(2) excluded (E.W.) (25.11.2005) by [The Docklands Light Railway \(Capacity Enhancement\) Order 2005 \(S.I. 2005/3105\)](#), arts. 1, **46(5)** (with arts. 3(5), 15(3))
- C3** S. 207(2) excluded (22.11.2006) by [The Docklands Light Railway \(Stratford International Extension\) Order 2006 \(S.I. 2006/2905\)](#), arts. 1, **44(6)** (with art. 43)
- C4** S. 207(2) excluded (15.12.2014) by [The London Underground \(Northern Line Extension\) Order 2014 \(S.I. 2014/3102\)](#), arts. 1, **41(5)** (with Sch. 8 para. 45)
- C5** S. 207(2) excluded (12.1.2016) by [The London Underground \(Bank Station Capacity Upgrade\) Order 2015 \(S.I. 2015/2044\)](#), arts. 1, **38(5)**

Commencement Information

- I1** S.207 partly in force: s.207 in force at Royal Assent (11.11.1999) for certain purposes, see s.425(2)

Marginal Citations

- M3** 1992 c. 42.

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

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

- s. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)