



Greater London Authority Act 1999

1999 CHAPTER 29

PART IV

TRANSPORT

CHAPTER VI

RAILWAYS

The Authority and the Franchising Director

196 Power of Authority to give instructions or guidance to the Franchising Director

- (1) The Authority may give instructions or guidance to the Franchising Director in relation to the provision of railway services in Greater London.
- (2) It is immaterial for the purpose of giving instructions or guidance under subsection (1) above whether implementation of the instructions or guidance affects railway services outside Greater London.
- (3) The Franchising Director shall exercise his functions in the manner best calculated to implement any instructions or guidance given to him by the Authority.
- (4) Subsection (3) above is subject to subsection (5) below.
- (5) The Franchising Director shall not give effect to any instructions or guidance given by the Authority if or to the extent that, in his opinion, implementing the instructions or guidance will—
 - (a) prevent or seriously hinder him from complying with any instructions, guidance or objectives given to him by the Secretary of State under section 5(1) of the Railways Act 1993;
 - (b) have an adverse effect on the provision of services for the carriage of passengers by railway outside Greater London; or

Status: This is the original version (as it was originally enacted).

- (c) increase the amount of any payments to which paragraph (b) of section 5(1) of the Railways Act 1993 applies which he may be required to make.
- (6) If the Franchising Director decides not to implement any instructions or guidance given by the Authority, whether generally or in a particular case, he shall give the Authority notification of the decision and his reasons for it.
- (7) The matters in respect of which instructions or guidance may be given under this section are those specified in sub-paragraphs (i) and (ii) of section 5(1)(a) of the Railways Act 1993.
- (8) Any functions conferred or imposed on the Authority by this section shall be exercisable by the Mayor acting on behalf of the Authority.
- (9) In this section “the Franchising Director” means the Director of Passenger Rail Franchising.

197 Franchising Director to consult Mayor as to fares, services etc

- (1) The Franchising Director shall from time to time consult the Mayor as to—
 - (a) the general level and structure of the fares to be charged for the carriage of passengers by railway on services to which this section applies; and
 - (b) the general level of the provision to be made for such services.
- (2) The services to which this section applies are services to, from or within Greater London—
 - (a) which are, or are to be, provided under franchise agreements; or
 - (b) whose provision the Franchising Director is under a duty to secure, by virtue of section 30, 37 or 38 of the Railways Act 1993 (which relate to the failure to secure a subsequent franchise agreement and the proposed discontinuance of services).