
Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, Cross Heading:
Competent authority status for the purposes of grants and loans under EU regulations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

MISCELLANEOUS AMENDMENTS OF 1993 ACT

Competent authority status for the purposes of grants and loans under EU regulations

- 14 (1) In subsection (1) of section 136 (competent authorities in relation to railways financial status regulations), for “shall continue to” substitute “ and the Scottish Ministers shall each ”.
- (2) In subsection (2) of that section (competent authority in respect of freight services for the purposes of the public service obligation regulations), for “shall be” substitute “ , the Scottish Ministers and, to the extent specified in subsection (2A) below, the National Assembly for Wales shall each be ”.
- (3) After that subsection insert—
- “(2A) For the purposes of subsection (2) above the National Assembly for Wales shall only be the competent authority in relation to services for the carriage of goods by railway which are operated within Wales.”
- (4) In subsection (3) of that section (competent authority in respect of passenger services for the purposes of the public service obligation regulations), after paragraph (a) insert—
- “(aa) the Scottish Ministers,
(ab) to the extent specified in subsection (3A) below, the National Assembly for Wales,”.
- (5) After that subsection insert—
- “(3A) For the purposes of subsection (3) above the National Assembly for Wales shall only be the competent authority in relation to services for the carriage of passengers by railway which—
- (a) are Welsh services (within the meaning of the Railways Act 2005);
or
(b) are provided under a franchise agreement to which the Assembly is a party.”
- (6) In subsection (4) of that subsection (extent to which a PTE are a competent authority), for paragraphs (a) and (b) substitute “ which the Executive provide, or secure are provided, in exercise of their powers under section 10(1) of the Transport Act 1968 or section 13 of the Railways Act 2005 ”.
- (7) Sub-paragraph (6) shall not affect the extent to which the competent authorities for the purposes of the public service obligations regulations include a Passenger Transport Executive in relation to railway passenger services provided under a franchise agreement to which the Executive continues to be a party by virtue of section 14(2) of this Act.

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Commencement Information

- I1** Sch. 11 para. 14(1)-(5) in force at 8.6.2005 by S.I. 2005/1444, art. 2(1), **Sch. 1**
- I2** Sch. 11 para. 14(6)(7) in force at 24.7.2005 for E.W. by S.I. 2005/1909, art. 2, **Sch.**

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