

*Changes to legislation: There are currently no known outstanding effects  
for the Railways Act 2005, Part 4. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5

#### [<sup>F1</sup>PASSENGERS’ COUNCIL] ESTABLISHED BY S. 19(1)

##### Textual Amendments

- F1** Words in Sch. 5 heading substituted (25.2.2010) by [The Passengers’ Council \(Non-Railway Functions\) Order 2010 \(S.I. 2010/439\)](#), art. 1, [Sch. para. 9\(7\)\(c\)](#)

#### PART 4

##### FINANCIAL FRAMEWORK AND INFORMATION

###### *Financial framework*

- 10 (1) The Secretary of State—
- (a) must prepare, and
  - (b) may from time to time revise,
- a document to be known as the [<sup>F1</sup>PC]’s “financial framework”.
- (2) The financial framework must specify rules and principles according to which the [<sup>F1</sup>PC] is to exercise and perform its powers and duties in relation to—
- (a) financial matters; and
  - (b) matters relating to its employees.
- (3) The [<sup>F1</sup>PC] must not carry out any of its functions in a manner which is inconsistent with its financial framework.
- (4) The fact that a transaction entered into by the [<sup>F1</sup>PC] constitutes, or involves, a contravention of sub-paragraph (3) does not invalidate the transaction.
- (5) Sub-paragraph (4) applies whether or not a person who entered into the transaction with the [<sup>F1</sup>PC] inquired whether the transaction constituted or involved a contravention of sub-paragraph (3).

##### Textual Amendments

- F1** Words in Sch. 5 substituted (25.2.2010) by [The Passengers’ Council \(Non-Railway Functions\) Order 2010 \(S.I. 2010/439\)](#), art. 1, [Sch. para. 9\(7\)\(b\)](#)

##### Commencement Information

- I1** Sch. 5 para. 10 in force at 24.7.2005 by [S.I. 2005/1909](#), art. 2, [Sch.](#)

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### *Annual reports*

- 11 (1) As soon as practicable after the end of each financial year, the [F<sup>1</sup>PC] must make a report on its activities during that year.
- (2) In preparing its annual report the [F<sup>1</sup>PC] must have regard to the desirability of excluding from the report, so far as practicable—
- (a) matters relating to the affairs of an individual which, in the opinion of the [F<sup>1</sup>PC], are matters the publication of which would or might seriously and prejudicially affect the interests of that individual; and
  - (b) matters relating specifically to the affairs of a particular body of persons (whether corporate or unincorporate) which, in the opinion of the [F<sup>1</sup>PC], are matters the publication of which would or might seriously and prejudicially affect the interests of that body.
- (3) The [F<sup>1</sup>PC] must send a copy of every annual report under this paragraph to each of the following—
- (a) the Secretary of State;
  - (b) the Scottish Ministers; and
  - (c) [F<sup>2</sup>the Welsh Ministers].
- (4) The [F<sup>1</sup>PC] may also arrange for a copy of its annual report for a financial year to be published in such manner as it considers appropriate.
- (5) The Secretary of State must lay before Parliament a copy of every annual report a copy of which has been sent to him under this paragraph.
- (6) The Scottish Ministers must lay before the Scottish Parliament a copy of every annual report a copy of which has been sent to them under this paragraph.

#### **Textual Amendments**

- F1** Words in Sch. 5 substituted (25.2.2010) by [The Passengers’ Council \(Non-Railway Functions\) Order 2010 \(S.I. 2010/439\)](#), art. 1, **Sch. para. 9(7)(b)**
- F2** Words in Sch. 5 para. 11(3)(c) substituted (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), art. 1(2)(b)(xvi), **Sch. para. 65**

#### **Commencement Information**

- I2** Sch. 5 para. 11 in force at 24.7.2005 by [S.I. 2005/1909](#), art. 2, **Sch.**

### *Information*

- 12 The [F<sup>1</sup>PC] must give the Secretary of State information, advice and assistance about any matter in respect of which it has any functions if—
- (a) the [F<sup>1</sup>PC] considers it appropriate to do so; or
  - (b) the Secretary of State asks the [F<sup>1</sup>PC] to do so in connection with the carrying out of any function of his.

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**Textual Amendments**

- F1** Words in Sch. 5 substituted (25.2.2010) by [The Passengers’ Council \(Non-Railway Functions\) Order 2010 \(S.I. 2010/439\)](#), art. 1, **Sch. para. 9(7)(b)**
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**Commencement Information**

- I3** Sch. 5 para. 12 in force at 24.7.2005 by [S.I. 2005/1909](#), art. 2, **Sch.**

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