



# Railways Act 2005

## 2005 CHAPTER 14

### PART 2

#### PUBLIC SECTOR FUNDING AUTHORITIES FOR RAILWAYS

##### *London*

#### **16 Relaxation of contractual restrictions on Transport for London**

- (1) Section 201 of the Greater London Authority Act 1999 (c. 29) (restriction on Transport for London entering into agreements that involve the holding of a licence under the 1993 Act) shall cease to have effect.
- (2) Transport for London may not enter into an agreement—
  - (a) with a person who is a franchisee or franchise operator in relation to a franchise agreement, or
  - (b) with a person who is proposing to become such a franchisee or franchise operator,unless the agreement is approved by the Secretary of State.
- (3) An agreement that relates exclusively to the grant of permission by a facility owner for a person to use a railway facility of his does not require the approval of the Secretary of State under subsection (2) in any case in which Transport for London or a subsidiary of its is the facility owner or the person granted permission.
- (4) The Secretary of State may—
  - (a) give a general approval for the purposes of subsection (2) in relation to a description of agreements, as well as specific approvals for particular agreements; and
  - (b) withdraw his approval in relation to any agreement at any time before the agreement is entered into.
- (5) The agreements to which Transport for London may become a party with the approval of the Secretary of State include franchise agreements under which services are

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*Changes to legislation: There are currently no known outstanding effects  
for the Railways Act 2005, Section 16. (See end of Document for details)*

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provided which are or include services for the carriage of passengers by railway between places in Greater London.

(6) In this section “subsidiary” has the meaning given to it by [<sup>F1</sup>section 1159 of the Companies Act 2006].

**Textual Amendments**

**F1** Words in s. 16(6) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), [Sch. 1 para. 246\(a\)](#) (with art. 10)

**Commencement Information**

**I1** S. 16 in force at 24.7.2005 by [S.I. 2005/1909](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Railways Act 2005, Section 16.