
STATUTORY INSTRUMENTS

2006 No. 1951 (C. 65)

TRANSPORT

RAILWAYS

The Railways Act 2005 (Commencement No. 6) Order 2006

Made - - - - *12th July 2006*

The Secretary of State makes this Order in exercise of the powers conferred by section 60(2) of the Railways Act 2005⁽¹⁾:

Citation

1. This Order may be cited as the Railways Act 2005 (Commencement No. 6) Order 2006.

Commencement

2.—(1) The provisions of the Railways Act 2005 specified in paragraph (2) shall come into force on 1st August 2006.

(2) Those provisions are as follows—

- (a) section 1(10);
- (b) sections 42 and 43;
- (c) section 45(1), in so far as it relates to the definitions of “closure”, “closures guidance” and “railway funding authority”;
- (d) section 45(2);
- (e) section 56, to the extent that it is not yet in force;
- (f) section 59(1), in so far as it relates to the provisions of Schedule 12 brought into force by this Order;
- (g) section 59(6), in so far as it relates to the provisions of Schedule 13 brought into force by this Order;
- (h) Schedule 12, paragraph 17(1), in so far as it relates to the other provisions of paragraph 17 brought into force by this Order;
- (i) Schedule 12, paragraph 17(4) to (6); and
- (j) the entry in Part 1 of Schedule 13 relating to section 248(3) of the Transport Act 2000⁽²⁾.

(1) 2005 c. 14.
(2) 2000 c. 38.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Transport

12th July 2006

Derek Twigg
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Railways Act 2005 (“the Act”).

Article 2 brings into force section 1(10) of the Act which permits the Secretary of State to provide for the abolition of the Strategic Rail Authority (“SRA”) by making an order.

It also brings into force sections 42 and 43 of the Act in Part 4 of the Act.

Section 42 sets out the duties of the Secretary of State, the Scottish Ministers and the National Assembly for Wales in publishing guidance on assessing closure proposals referred to in sections 22 to 31 of the Act.

Section 43 provides for Parliamentary scrutiny of Closures Guidance, and modifications to such Guidance. Closures Guidance and modifications to it must be laid before Parliament and/or the Scottish Parliament as appropriate, and are brought into force by order. Where guidance or modification to such guidance is made by Secretary of State or the Scottish Ministers or both of them jointly with the National Assembly for Wales (“NAW”), then an order may only be made with the consent of the NAW.

Article 2 also brings into force the interpretation provisions in section 45 (1) and (2) which relate to those other provisions in Part 4 of the Act commenced by this Order. Article 2 also partially commences sections 56 and 59(1) and (6) of the Act.

Article 2 also brings into force the amendments made by Schedules 12 and 13 of the Act to section 248 of the Transport Act 2000 substituting references to the Strategic Rail Authority with references to the Secretary of State, the Scottish Ministers or the National Assembly for Wales. Section 248 requires operators of railway passenger services, so far as is reasonably practicable, to ensure that any substitute road services allow disabled passengers to travel safely and in reasonable comfort.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Railways Act 2005 have been brought into force by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 1(1) (partially)	8th June 2005 (partially)	2005/1444
	26th June 2005 (partially)	
	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Section 1(2)	8th June 2005	2005/1444
Section 1(3)	8th June 2005 (partially)	2005/1444
	24th July 2005 (remainder)	2005/1909
Section 1(4) to (9)	8th June 2005	2005/1444

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 2	7th February 2006 (partially) 1st April 2006 (remainder)	2006/266
Section 3(1) (partially)	8th June 2005 (partially) 26th June 2005 (partially) 1st April 2006 (partially)	2005/1444 2006/266
Section 3(2)	8th June 2005 (partially) 1st April 2006 (remainder)	2005/1444 2006/266
Section 3(3)	26th June 2005	2005/1444
Section 3(4)	1st April 2006	2006/266
Section 3(6) (partially)	16th October 2005	2005/2812
Section 3 (7)	26th June 2005	2005/1444
Section 3(8)(a)	8th June 2005 (partially) 1st April 2006 (remainder)	2005/1444 2006/266
Section 3(8)(b)	16th October 2005	2005/2812
Section 3(8)(c)	8th June 2005	2005/1444
Section 3(8)(d)	24th July 2005	2005/1909
Section 3(9)	8th June 2005 (partially) 1st April 2006 (partially)	2005/1444 2006/266
Section 3(10)	16th October 2005 (partially) 1st April 2006 (remainder)	2005/2812 2006/266
Section 3(11)(a)	24th July 2005	2005/1909
Section 3(11)(b)	26th June 2005 (partially) 1st April 2006 (remainder)	2005/1444 2006/266
Section 5	21st August 2005	2005/2252
Section 6(1) to (3)	8th June 2005	2005/1444
Section 6(4)	8th June 2005 (partially) 16th October 2005 (remainder)	2005/1444 2005/2812
Section 6(5) to (8)	8th June 2005	2005/1444
Section 7	8th June 2005	2005/1444
Section 8	16th October 2005	2005/2812
Section 9	16th October 2005	2005/2812
Section 10, except subsection (6)	8th June 2005	2005/1444
Section 10(6)	24th July 2005 (partially) 16th October 2005 (remainder)	2005/1909 2005/2812

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 11	8th June 2005	2005/1444
Section 12(1) to (7)	24th July 2005	2005/1909
Section 12(8)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Section 13	24th July 2005	2005/1909
Section 14 (as regards England and Wales)	24th July 2005	2005/1909
Sections 15 and 16	24th July 2005	2005/1909
Section 18	24th July 2005	2005/1909
Sections 19 to 21	24th July 2005	2005/1909
Section 40(1) to (3)	24th July 2005	2005/1909
Section 40(4) except paragraph (b)	24th July 2005	2005/1909
Section 40(4)(b) and (5)	16th October 2005	2005/2812
Section 40(6) and (7)	24th July 2005	2005/1909
Section 46(1),(2),(7) and (8)	24th July 2005	2005/1909
Section 46(3)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Section 46(4), (5) and (6)	16th October 2005	2005/2812
Section 47	16th October 2005	2005/2812
Section 48	16th October 2005	2005/2812
Section 49	16th October 2005	2005/2812
Section 50	16th October 2005	2005/2812
Section 51(1)(a)	8th June 2005	2005/1444
Section 51(1)(b)	1st April 2006	2006/266
Section 51(1)(c)	8th June 2005	2005/1444
Section 51(2)	16th October 2005	2005/2812
Section 51(3) and (4)	8th June 2005	2005/1444
Section 51(5)	1st April 2006	2006/266
Section 52	24th July 2005	2005/1909
Section 53	8th June 2005 (partially)	2005/1444
	24th July 2005 (remainder)	2005/1909
Section 54(1) to (3)	8th June 2005	2005/1444
Section 54(4) (partially)	8th June 2005 (partially)	2005/1444
	24th July 2005 (partially)	2005/1909

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
	16th October 2005 (partially)	2005/2812
Section 55	8th June 2005	2005/1444
Section 56(2) (partially)	8th June 2005	2005/1444
Section 56(3), except paragraphs (b) and (c)	8th June 2005	2005/1444
Section 56(4)	8th June 2005	2005/1444
Section 56(5)	8th June 2005 (partially)	2005/1444
	16th October 2005 (remainder)	2005/2812
Section 56(6)	8th June 2005	2005/1444
Section 57	8th June 2005	2005/1444
Section 58	8th June 2005	2005/1444
Section 59(1) (partially)	8th June 2005 (partially)	2005/1444
	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
	21st November 2005 (partially)	
	1st April 2006 (partially)	2006/266
Section 59(2) to (5)	8th June 2005	2005/1444
Section 59(6) (partially)	8th June 2005 (partially)	2005/1444
	26th June 2005 (partially)	
	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
	21st November 2005 (partially)	
	1st April 2006 (partially)	2006/266
Section 59(7) (partially)	16th October 2005 (partially)	2005/2812
Schedule 1, paragraphs 1 to 10	24th July 2005	2005/1909
Schedule 1, paragraph 11	16th October 2005	2005/2812
Schedule 1, paragraph 13(1) and (3)	24th July 2005	2005/1909
Schedule 1, paragraph 13(2)	16th October 2005	2005/2812
Schedule 1, paragraph 13(4)(a)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 1, paragraph 13(4)(b)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 1, paragraph 13(5)	24th July 2005 (partially)	2005/1909

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	16th October 2005 (remainder)	2005/2812
Schedule 1, paragraph 14	16th October 2005	2005/2812
Schedule 1, paragraphs 15 to 19	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 1, paragraph 20(1)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 1, paragraph 20(2) and (3)	24th July 2005	2005/1909
Schedule 1, paragraph 20(4)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 1, paragraph 20(5)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 1, paragraph 21(1) (partially)	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Schedule 1, paragraph 21(2)	24th July 2005	2005/1909
Schedule 1, paragraph 21(4) to (8) (partially)	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Schedule 1, paragraph 22 (partially)	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Schedule 1, paragraph 23(1) (partially)	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Schedule 1, paragraph 23(2) and (3) (partially)	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Schedule 1, paragraph 24(1) (partially)	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Schedule 1, paragraph 24(2)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 1, paragraphs 25 and 26 (partially)	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Schedule 1, paragraphs 27 and 28	24th July 2005	2005/1909
Schedule 1, paragraph 29	26th June 2005	2005/1444
Schedule 1, paragraph 30(1) and (2)	24th July 2005	2005/1909
Schedule 1, paragraph 30(3) except sub-paragraph (b)	24th July 2005	2005/1909

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Schedule 1, paragraph 30(3)(b)	16th October 2005	2005/2812
Schedule 1, paragraph 30(4) to (7)	24th July 2005	2005/1909
Schedule 1, paragraph 31	16th October 2005	2005/2812
Schedule 1, paragraph 32(1)	24th July 2005	2005/1909
Schedule 1, paragraph 32(3) to (5)	24th July 2005	2005/1909
Schedule 1, paragraph 33	24th July 2005	2005/1909
Schedule 1, paragraph 35 (partially)	24th July 2005	2005/1909
Schedule 1, paragraph 35 (remainder)	16th October 2005	2005/2812
Schedule 1, paragraph 36(a)	24th July 2005	2005/1909
Schedule 1, paragraph 36(c)	16th October 2005	2005/2812
Schedule 1, paragraph 37	8th June 2005	2005/1444
Schedule 2	8th June 2005 (partially)	2005/1444
	24th July 2005 (remainder)	2005/1909
Schedule 3	7th February 2006 (partially)	2006/266
	1st April 2006 (remainder)	
Schedules 5 and 6	24th July 2005	2005/1909
Schedule 9 (partially)	24th July 2005	2005/1909
Schedule 9 (remainder)	16th October 2005	2005/2812
Schedule 10	8th June 2005 (partially)	2005/1444
	24th July 2005 (remainder)	2005/1909
Schedule 11, paragraph 1 (partially)	8th June 2005 (partially)	2005/1444
	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Schedule 11, paragraph 6 (partially)	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
Schedule 11, paragraphs 7(2), 8, 9 and 12	24th July 2005	2005/1909
Schedule 11, paragraph 14(1) to (5)	8th June 2005	2005/1444
Schedule 11, paragraph 14(6) and (7) (as regards England and Wales)	24th July 2005	2005/1909
Schedule 11, paragraph 15	24th July 2005 (partially)	2005/1909

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
	16th October 2005 (remainder)	2005/2812
Schedule 11, paragraph 16(1)	8th June 2005	2005/1444
Schedule 11, paragraph 16(2)	24th July 2005	2005/1909
Schedule 12, paragraph 1(1) (partially)	24th July 2005	2005/1909
Schedule 12, paragraph 1(3)	24th July 2005	2005/1909
Schedule 12, paragraph 2(1)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 12, paragraph 2(2)	24th July 2005	2005/1909
Schedule 12, paragraph 2(3) and (4)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 12, paragraph 3	24th July 2005	2005/1909
Schedule 12, paragraph 4	1st April 2006	2006/266
Schedule 12, paragraph 5	24th July 2005	2005/1909
Schedule 12, paragraph 6	1st April 2006	2006/266
Schedule 12, paragraph 7	8th June 2005	2005/1444
Schedule 12, paragraph 8	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 12, paragraphs 9, 10 and 11	8th June 2005	2005/1444
Schedule 12, paragraph 12	1st April 2006	2006/266
Schedule 12, paragraph 13	21st November 2006	2005/2812
Schedule 12, paragraph 14(1) (partially)	8th June 2005 (partially)	2005/1444
	24th July 2005 (partially)	2005/1909
Schedule 12, paragraph 14(3), (4) and (6) to (9)	24th July 2005	2005/1909
Schedule 12, paragraph 14(5) (b)	8th June 2005	2005/1444
Schedule 12, paragraphs 15 and 16	8th June 2005	2005/1444
Schedule 12, paragraph 17(1) (partially)	8th June 2005 (partially)	2005/1444
	24th July 2005 (partially)	2005/1909
Schedule 12, paragraph 17(2) and (3)	24th July 2005	2005/1909
Schedule 12, paragraph 17(7)	8th June 2005	2005/1444
Schedule 12, paragraph 17(8) and (9)	24th July 2005	2005/1909

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Schedule 12, paragraph 18(1)	8th June 2005 (partially)	2005/1444
	24th July 2005 (partially)	2005/1909
	16th October 2006 (remainder)	2005/2812
Schedule 12, paragraph 18(2) (a) and (b)	24th July 2005	2005/1909
Schedule 12, paragraph 18(2) (c) and (3)	24th July 2005 (partially)	2005/1909
	16th October 2005 (remainder)	2005/2812
Schedule 12, paragraph 18(4)	8th June 2005	2005/1444
Schedule 13, Part 1 (partially)	8th June 2005 (partially)	2005/1444
	26th June 2005 (partially)	
	24th July 2005 (partially)	2005/1909
	16th October 2005 (partially)	2005/2812
	21st November 2005	
	1st April 2006 (partially)	2006/266
Schedule 13, Part 2 (partially)	16th October 2005	2005/2812