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STATUTORY INSTRUMENTS

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**2006 No. 2911**

**The Railways Act 2005 (Commencement No. 7,  
Transitional and Saving Provisions) Order 2006**

**Closures other than minor closures**

- 3.—(1) This article applies to a closure proposal which—
- (a) is made before 1st December 2006, and
  - (b) is not determined before that date.
- (2) Despite the repeal of sections 37 to 45 of the 1993 Act<sup>(1)</sup> (closures), those provisions have effect in relation to that proposal subject to the modifications in paragraph (4).
- (3) In paragraph (1), “closure proposal” means—
- (a) the giving of a notice to the Authority under section 37(1), 39(1) or 41(1) of the 1993 Act, or
  - (b) the publication by the Authority of a notice in accordance with section 38(5), 40(5) or 42(4) of that Act.
- (4) The modifications of sections 37 to 45 of the 1993 Act for the purposes of paragraph (1) are that—
- (a) any function of the Authority is to be treated as a function of the Secretary of State, and anything done by the Authority before that date in relation to the function is to be treated as having been done by the Secretary of State; and
  - (b) each reference to a Rail Passengers’ Committee in section 43 of the 1993 Act shall have effect—
    - (i) in relation to the area for which the London Transport Users’ Committee fell to be treated as the Rail Passengers’ Committee for the purposes set out in section 2(4) of that Act (Rail Passengers’ Committees) immediately before the repeal of that section, as a reference to the London Transport Users’ Committee.
    - (ii) in relation to any other area, as a reference to the Rail Passengers’ Council established by section 19(1) of the 2005 Act.

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(1) Sections 37 to 46 were amended by the Transport Act 2000 (c.38) sections 234 to 236 and 239, Schedule 16, paragraphs 8 and 22 to 30, Schedule 17, paragraphs 17 and 25, Schedule 22, Part 1 paragraphs 1 and 4 to 6 and Schedule 31, Part IV. Sections 43 and 46 were amended by the Railways and Transport Safety Act 2003 (c. 20) Schedule 2, Part 1 paragraphs 1 and 3. Section 43 was amended by the Greater London Authority Act 1999 (c. 29) section 203. Section 46B was inserted by the Transport Act 2000, Schedule 17, paragraph 25 and amended by the Railways and Transport Safety Act 2003, Schedule 2 Part 1, paragraph 3.