

2007 No. 62 (C. 2)

TRANSPORT

RAILWAYS

The Railways Act 2005 (Commencement No. 8) Order 2007

Made - - - -

16th January 2007

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

Citation

1. This Order may be cited as the Railways Act 2005 (Commencement No. 8) Order 2007.

Commencement

2.—(1) The provisions of the Railways Act 2005 specified in paragraph (2) shall come into force on 29th January 2007.

(2) Those provisions are—

- (a) section 3 to the extent that it is not already in force;
- (b) section 4;
- (c) section 59(6) in so far as it relates to the provisions of Schedule 13 brought into force by this Order;
- (d) Schedule 4; and
- (e) in Part 1 of Schedule 13—
 - (i) the entry relating to Schedule 4A of the Railways Act 1993(b) to the extent that it is not already in force; and
 - (ii) the entry relating to paragraph 11 of Schedule 28 to the Transport Act 2000(c).

Signed by authority of the Secretary of State for Transport

16th January 2007

Tom Harris
Parliamentary Under Secretary of State
Department for Transport

(a) 2005 c.14.
(b) 1993 c.43.
(c) 2000 c.38.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Railways Act 2005 (the “Act”) on 29th January 2007.

Article 2(2)(a) brings into force those provisions of section 3 of the Act which are not already in force. These provisions insert an additional general duty, under new section 4(5C) and (5D) of the Railways Act 1993 (“the 1993 Act”) requiring the Office of Rail Regulation (“ORR”) to have regard to securing value for money in considering anything affecting the interests of railway service users and providers.

Article 2(2)(b) and (d) bring into force section 4 and Schedule 4 of the Act which amend Schedule 4A of the 1993 Act. Schedule 4 establishes the process for conducting the review including in particular how the Secretary of State and the Scottish Ministers make inputs at various stages.

Article 2(2)(c) and (e) bring into force certain provisions in Schedule 13 (repeals) of the Act relating to access charge reviews.

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) | 8th June 2005 (partially) | 2005/1444 |
| | 26th June 2005 (partially) | |
| | 24th July 2005 (partially) | 2005/1909 |
| | 16th October 2005 (partially) | 2005/2812 |
| | 1st December 2006 (partially) | 2006/2911 |
| 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 |
| Section 1(10) | 1st August 2006 | 2006/1951 |
| Section 2 | 7th February 2006 (partially) | 2006/266 |
| | 1st April 2006 (remainder) | |
| Section 3(1) | 8th June 2005 (partially) | 2005/1444 |
| | 26th June 2005 (partially) | |
| | 1st April 2006 (partially) | 2006/266 |
| | 1st December 2006 (partially) | 2006/2911 |
| Section 3(2) | 8th June 2005 (partially) | 2005/1444 |
| | 1st April 2006 (remainder) | 2006/266 |
| Section 3(3) | 26th June 2005 | 2005/1444 |
| Section 3(4) | 1st April 2006 | 2006/266 |
| Section 3(5) | 1st December 2006 | 2006/2911 |
| Section 3(6) | 16th October 2005 (partially) | 2005/2812 |
| Section 3(6) | 1st December 2006 | 2006/2911 |
| | (remainder) | |
| Section 3 (7) | 26th June 2005 | 2005/1444 |
| Section 3(8)(a) | 8th June 2005 (partially) | 2005/1444 |
| | 1st April 2006 (remainder) | 2006/266 |
| Section 3(8)(b) | 16th October 2005 | 2005/2812 |

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| 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) | 2005/1444 |
| | 1st April 2006 (partially) | 2006/266 |
| Section 3(10) | 16th October 2005 (partially) | 2005/2812 |
| | 1st April 2006 (remainder) | 2006/266 |
| Section 3(11)(a) | 24th July 2005 | 2005/1909 |
| Section 3(11)(b) | 26th June 2005 (partially) | 2005/1444 |
| | 1st April 2006 (remainder) | 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) | 2005/1444 |
| | 16th October 2005 (remainder) | 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) | 2005/1909 |
| | 16th October 2005 (remainder) | 2005/2812 |
| 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 |
| Sections 22 to 39 | 1st December 2006 | 2006/2911 |
| 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 41 | 1st December 2006 | 2006/2911 |
| Sections 42 and 43 | 1st August 2006 | 2006/1951 |
| Section 44 | 1st December 2006 | 2006/2911 |
| Section 45 | 1st August 2006 (partially) | 2006/1951 |
| | 1st December 2006 (remainder) | 2006/2911 |
| 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 |

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| 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) | 8th June 2005 (partially) | 2005/1444 |
| | 24th July 2005 (partially) | 2005/1909 |
| | 16th October 2005 (partially) | 2005/2812 |
| | 1st December 2006 (partially) | 2006/2911 |
| Section 55 | 8th June 2005 | 2005/1444 |
| Section 56(2) | 8th June 2005 (partly) | 2005/1444 |
| | 1st August 2006 (remainder) | 2006/1951 |
| Section 56(3), except paragraphs (b) and (c) | 8th June 2005 | 2005/1444 |
| Section 56(3) paragraphs (b) and (c) | 1st August 2006 (remainder) | 2006/1951 |
| 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) | 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 |
| | 1st August 2006 (partially) | 2006/1951 |
| | 1st December 2006 (partially) | 2006/2911 |
| Section 59(2) to (5) | 8th June 2005 | 2005/1444 |
| Section 59(6) | 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 |
| | 1st August 2006 (partially) | 2006/1951 |
| | 1st December 2006 (partially) | 2006/2911 |
| Section 59(7) | 16th October 2005 (partially) | 2005/2812 |
| | 1st December 2006 (remainder) | 2006/2911 |
| Schedule 1, paragraphs 1 to 10 | 24th July 2005 | 2005/1909 |
| Schedule 1, paragraph 11 | 16th October 2005 | 2005/2812 |
| Schedule 1, paragraph 12 | 1st December 2006 | 2006/2911 |
| Schedule 1, paragraph 13(1) and (3) | 24th July 2005 | 2005/1909 |
| Schedule 1, paragraph 13(2) | 16th October 2005 | 2005/2812 |

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| Schedule 1, paragraph 13(4)(a) | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 1, paragraph 13(4)(b) | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 1, paragraph 13(5) | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 1, paragraph 14 | 16th October 2005 | 2005/2812 |
| Schedule 1, paragraphs 15 to 19 | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 1, paragraph 20(1) | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 1, paragraph 20(2) and (3) | 24th July 2005 | 2005/1909 |
| Schedule 1, paragraph 20(4) | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 1, paragraph 20(5) | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 1, paragraph 21(1) | 24th July 2005 (partially) 16th October 2005 (partially) 1st December 2006 (partially) | 2005/1909 2005/2812 2006/2911 |
| Schedule 1, paragraph 21(2) | 24th July 2005 | 2005/1909 |
| Schedule 1, paragraph 21(3) | 1st December 2006 | 2006/2911 |
| Schedule 1, paragraph 21(4) to (8) | 24th July 2005 (partially) 16th October 2005 (partially) 1st December 2006 (remainder) | 2005/1909 2005/2812 2006/2911 |
| Schedule 1, paragraph 22 | 24th July 2005 (partially) 16th October 2005 (partially) 1st December 2006 | 2005/1909 2005/2812 2006/2911 |
| Schedule 1, paragraph 23(1) | 24th July 2005 (partially) 16th October 2005 (partially) 1st December 2006 (remainder) | 2005/1909 2005/2812 2006/2911 |
| Schedule 1, paragraph 23(2) and (3) | 24th July 2005 (partially) 16th October 2005 (partially) 1st December 2006 (remainder) | 2005/1909 2005/2812 2006/2911 |
| Schedule 1, paragraph 24(1) | 24th July 2005 (partially) 16th October 2005 (partially) | 2005/1909 2005/2812 |
| Schedule 1, paragraph 24(2) | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 1, paragraphs 25 and 26 | 24th July 2005 (partially) 16th October 2005 (partially) 1st December 2006 (remainder) | 2005/1909 2005/2812 2006/2911 |
| 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 |
| Schedule 1, paragraph 30(3)(b) | 16th October 2005 | 2005/2812 |
| Schedule 1, paragraph 30(4) to | 24th July 2005 | 2005/1909 |

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| (7) | | |
| Schedule 1, paragraph 31 | 16th October 2005 | 2005/2812 |
| Schedule 1, paragraph 32(1) | 24th July 2005 | 2005/1909 |
| Schedule 1, paragraph 32(2) | 1st December 2006 (partially) | 2006/2911 |
| Schedule 1, paragraph 32(3) to (5) | 24th July 2005 | 2005/1909 |
| Schedule 1, paragraph 33 | 24th July 2005 | 2005/1909 |
| Schedule 1 paragraph 34 | 1st December 2006 | 2006/2911 |
| Schedule 1, paragraph 35 | 24th July 2005 (partially) | 2005/1909 |
| | 16th October 2005 (remainder) | 2005/2812 |
| Schedule 1, paragraph 36(a) | 24th July 2005 | 2005/1909 |
| Schedule 1, paragraph 36(b) | 1st December 2006 | 2006/2911 |
| 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 |
| Schedules 7 and 8 | 1st December 2006 | 2006/2911 |
| Schedule 9 | 24th July 2005 (partially) | 2005/1909 |
| Schedule 9 | 16th October 2005 (remainder) | 2005/2812 |
| Schedule 10 | 8th June 2005 (partially) | 2005/1444 |
| | 24th July 2005 (remainder) | 2005/1909 |
| Schedule 11, paragraph 1 | 8th June 2005 (partially) | 2005/1444 |
| | 24th July 2005 (partially) | 2005/1909 |
| | 16th October 2005 (partially) | 2005/2812 |
| | 1st December 2006 (partially) | 2006/2911 |
| Schedule 11, paragraphs 2 to 5 | 1st December 2006 | 2006/2911 |
| Schedule 11, paragraph 6 | 24th July 2005 (partially) | 2005/1909 |
| | 16th October 2005 (partially) | 2005/2812 |
| Schedule 11, paragraph 7(1) | 1st December 2006 | 2006/2911 |
| Schedule 11, paragraph 7(2) | 24th July 2005 | 2005/1909 |
| Schedule 11, paragraph 7(3) to (6) | 1st December 2006 | 2006/2911 |
| Schedule 11, paragraphs 8 and 9 | 24th July 2005 | 2005/1909 |
| Schedule 11, paragraphs 10 and 11 | 1st December 2006 | 2006/2911 |
| Schedule 11, paragraph 12 | 24th July 2005 | 2005/1909 |
| Schedule 11, paragraph 13 | 1st December 2006 | 2006/2911 |
| 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 |
| | 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) | 24th July 2005 (partially) | 2005/1909 |
| Schedule 12, paragraph 1(2) | 1st December 2006 | 2006/2911 |
| Schedule 12, paragraph 1(3) | 24th July 2005 | 2005/1909 |

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| Schedule 12, paragraph 2(1) | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 12, paragraph 2(2) | 24th July 2005 | 2005/1909 |
| Schedule 12, paragraph 2(3) and (4) | 24th July 2005 (partially) 16th October 2005 (remainder) | 2005/1909 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) 16th October 2005 (remainder) | 2005/1909 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 2005 | 2005/2812 |
| Schedule 12, paragraph 14(1) | 8th June 2005 (partially) 24th July 2005 (partially) 1st December 2006 (remainder) | 2005/1444 2005/1909 2006/2911 |
| Schedule 12, paragraph 14(2) | 1st December 2006 | 2006/2911 |
| Schedule 12, paragraph 14(3), (4) | 24th July 2005 | 2005/1909 |
| Schedule 12, paragraph 14(5) | 8th June 2005 (partially) 1st December 2006 (remainder) | 2005/1444 2006/2911 |
| Schedule 12, paragraph 14(6) to (9) | 24th July 2005 | 2005/1909 |
| Schedule 12, paragraphs 15 and 16 | 8th June 2005 | 2005/1444 |
| Schedule 12, paragraph 17(1) | 8th June 2005 (partially) 24th July 2005 (partially) 1st August 2006 (partially) | 2005/1444 2005/1909 2006/1951 |
| Schedule 12, paragraph 17(2) and (3) | 24th July 2005 | 2005/1909 |
| Schedule 12, paragraph 17(4) to (6) | 1st August 2006 | 2006/1951 |
| Schedule 12, paragraph 17(7) | 8th June 2005 | 2005/1444 |
| Schedule 12, paragraph 17(8) and (9) | 24th July 2005 | 2005/1909 |
| Schedule 12, paragraph 18(1) | 8th June 2005 (partially) 24th July 2005 (partially) 16th October 2006 (remainder) | 2005/1444 2005/1909 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) 16th October 2005 (remainder) | 2005/1909 2005/2812 |
| Schedule 12, paragraph 18(4) | 8th June 2005 | 2005/1444 |
| Schedule 13, Part 1 | 8th June 2005 (partially) 26th June 2005 (partially) 24th July 2005 (partially) 16th October 2005 (partially) | 2005/1444 2005/1909 2005/2812 |

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| | 21st November 2005 | 2005/2812 |
| | 1st April 2006 (partially) | 2006/266 |
| | 1st August 2006 (partially) | 2006/1951 |
| | 1st December 2006 (partially) | 2006/2911 |
| Schedule 13, Part 2 | 16th October 2005 (partially) | 2005/2812 |
| Schedule 13, Part 2 | 1st December 2006 (remainder) | 2006/2911 |

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