

SCHEDULE 1

Amendments

Regulation 2(2)

PART 1

Amendments to Primary Legislation

The Railway Fires Act 1905

1. In section 4 of the Railway Fires Act 1905 ^{M1} (definitions and application), for paragraph (c) of the definition of “railway company” substitute—

- “(c) who holds a European licence granted pursuant to—
- (i) a provision contained in any instrument made for the purpose of implementing Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings ^{M2} or Chapter III of Directive 2012/34/EU of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast) ^{M3}, or
 - (ii) any action taken by an EEA State for that purpose.”.

Marginal Citations

M1 1905 c. 11; the definition of “railway company” in section 4 was inserted in relation to England, Scotland and Wales by the Railways Act 1993 (c. 43), [Schedule 12, paragraph 2\(2\)](#). Paragraph (c) was inserted by [S.I. 2005/3050, Schedule 1, Part 1, paragraph 1\(b\)](#).

M2 O.J. No. L 143, 27.6.95, p. 70.

M3 O.J. No. L 343, 14.12.12, p. 32, as corrected by Corrigendum, O.J. L 67, 12.3.2015, p. 32.

The Insolvency Act 1986

2. In Schedule 2A to the Insolvency Act 1986 ^{M4} (exceptions to prohibition on appointment of administrative receiver: supplementary provisions), for paragraph 10(1)(n) substitute—

- “(n) in reliance on a European licence granted pursuant to—
- (i) a provision contained in any instrument made for the purpose of implementing Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings or Chapter III of Directive 2012/34/EU of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast), or
 - (ii) any action taken by an EEA State for that purpose.”.

Marginal Citations

M4 1986 c. 45; Schedule 2A was inserted by the [Enterprise Act 2002 \(c. 40\) section 250\(2\), Schedule 18](#). Paragraph 10(1)(n) was inserted by [S.I. 2005/3050, Schedule 1, Part 1, paragraph 2\(b\)](#). Paragraph 10(2B) of that Schedule was inserted by [S.I. 2005/3050, Schedule 1, Part 1, paragraph 2\(c\)](#).

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The Railways Act 1993

3.—(1) The Railways Act 1993 ^{M5} is amended as follows.

(2) In section 6(2) (prohibition on unauthorised operators of railway assets), for the definition of “European licence”^{M6} substitute—

““European licence” means a licence granted pursuant to—

- (a) a provision contained in any instrument made for the purpose of implementing—
 - (i) Council Directive [1995/18/EC](#) dated 19th June 1995 on the licensing of railway undertakings, or
 - (ii) Chapter III of Directive 2012/34/EU of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast), or
- (b) any action taken by an EEA State for that purpose;”.

(3) For section 80(1A) ^{M7} (duty of certain persons to furnish information to the Secretary of State, the Scottish Ministers or the Office of Rail and Road on request) for the words from “for the purpose of implementing” to the end substitute—

“for the purpose of implementing—

- (a) Council Directive [1995/18/EC](#) dated 19th June 1995 on the licensing of railway undertakings, or
 - (b) Chapter III of Directive 2012/34/EU of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast).”.
- (4) In section 145(2) (general restrictions on disclosure of information)—

(a) in paragraph (ga) ^{M8}, for the words from “for the purpose of implementing” to the end substitute—

“for the purpose of implementing—

- (i) Council Directive [1995/18/EC](#) dated 19th June 1995 on the licensing of railway undertakings, or
- (ii) Directive 2012/34/EU of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast);”;

(b) omit paragraph (gb) ^{M9}.

Marginal Citations

M5 [1993 c. 43](#).

M6 The definition of “European Licence” was substituted for the definition of “international licence” by [S.I. 2005/3050](#), [Schedule 1, Part 1, paragraph 3\(1\)](#) and (3)(a).

M7 Subsection (1A) was inserted by [S.I. 2005/3050](#), [Schedule 1, Part 1, paragraph 3\(1\)](#) and (7)(a) and amended by [S.I. 2015/1682](#), [Schedule, Part 1, paragraph 1\(xx\)](#).

M8 Section 145(2)(ga) was inserted by [S.I. 2005/3050](#), [Schedule 1, Part 1, paragraph 3\(1\)](#) and (9) and amended by [S.I. 2015/1682](#), [Schedule, Part 1, paragraph 1\(aaa\)](#).

M9 Section 145(2)(gb) was inserted by [S.I. 2005/3049](#), [Schedule 1, Part 1, paragraph 4\(e\)\(ii\)](#) and amended by [S.I. 2009/1122](#), [Schedule, paragraph 1\(1\)](#) and (2)(a) and [S.I. 2015/1682](#), [Schedule, Part 1, paragraph 1\(aaa\)](#).

The Greater London Authority Act 1999

4. In section 235(2)(b) of the Greater London Authority Act 1999 ^{M10} (restrictions on disclosure of information), for the words from “implementing” to the end substitute “implementing Directive 2012/34/EU of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast);”.

Marginal Citations

M10 1999 c.29. Subsection (2)(b) was amended by the Railways Act 2005 (c. 14), **Schedule 12**, paragraph 14(1) and (5) and Schedule 13, Part 1; S.I. 2005/3049, **Schedule 1**, Part 1, paragraph 5(a); S.I. 2009/1122, **Schedule**, paragraph 2; S.I. 2014/892, **Schedule 1**, Part 2, paragraph 119(1) and (2); and SI 2015/1682, Schedule, Part 1, paragraph 4(n)(iv).

The Railways and Transport Safety Act 2003

5. In section 17 of the Railways and Transport Safety Act 2003 ^{M11} (extent)—
- (a) omit “only”, and
 - (b) after paragraph (b) insert—
 - “, and
 - (c) Northern Ireland.”.

Marginal Citations

M11 2003 c. 20.

The Civil Contingencies Act 2004

- 6.—(1) Schedule 1 to the Civil Contingencies Act 2004 ^{M12} is amended as follows.
- (2) For paragraph 24(1) substitute—
- “(1) A person who provides services in connection with railways in Great Britain and who holds a European licence granted pursuant to—
- (a) a provision contained in any instrument made for the purpose of implementing—
 - (i) Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings, or
 - (ii) Chapter III of Directive 2012/34/EU of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast), or
 - (b) any action taken by an EEA State for that purpose.”.
- (3) For paragraph 35(1) substitute—
- “(1) A person who provides services in connection with railways, in so far as such services are provided in Scotland, and who holds a European licence granted pursuant to—
- (a) a provision contained in any instrument made for the purpose of implementing—
 - (i) Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings, or

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- (ii) Chapter III of Directive 2012/34/EU of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast), or
- (b) any action taken by an EEA State for that purpose.”.

Marginal Citations

M12 2004 c. 36. Schedule 1, paragraphs 24 and 35 were substituted by [S.I. 2005/3050](#), [Schedule 1](#), [Part 1](#), [paragraph 4](#).

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