

SCHEDULE

AMENDMENTS TO THE RAILWAYS ACTS 1993 AND 2005

PART 1

AMENDMENTS TO THE RAILWAYS ACT 1993

28.—(1) Section 130 (penalty fares)(**1**) is amended as follows.

(2) In subsection (1) after “Secretary of State” insert “, the Welsh Ministers”.

(3) After subsection (1) insert—

“(1ZA) The power of the Welsh Ministers under this section to make provision for and in connection with the imposition of requirements on persons present on or leaving stations is exercisable only in relation to persons present on or leaving relevant Welsh stations in connection with the use of railway passenger services provided under Welsh franchise agreements or secured to any extent by the Welsh Ministers.

(1ZB) In subsection (1ZA) “relevant Welsh stations” are stations wholly in Wales that are used for the purposes of railway passenger services provided under Welsh franchise agreements or secured to any extent by the Welsh Ministers.

(1ZC) The power of the Welsh Ministers under this section to make provision for and in connection with the imposition of requirements on persons travelling by, present on or leaving trains is exercisable only in relation to persons—

(a) travelling by or present on trains in Wales used for the purposes of—

(i) a Wales-only service; or

(ii) any other railway passenger service provided under a Welsh franchise agreement or secured to any extent by the Welsh Ministers, except where subsection (1ZD) applies; or

(b) leaving such trains at stations wholly in Wales.

(1ZD) This subsection applies where—

(a) the next scheduled call to be made by the service is at a station wholly or partly in England and the previous scheduled call was at a station wholly in Wales (but not where the train is at a scheduled call wholly in Wales); or

(b) the next scheduled call to be made by the service is at a station wholly in Wales and the previous scheduled call was at a station wholly or partly in England.

(1ZE) The power of the Secretary of State under this section to make provision for and in connection with the imposition of requirements on persons present on or leaving stations is not exercisable in relation to persons falling within subsection (1ZA).

(1ZF) The power of the Secretary of State under this section to make provision for and in connection with the imposition of requirements on persons travelling by, present on or leaving trains is not exercisable in relation to persons falling within subsection (1ZC).”

(4) In subsection (2) in paragraph (p) after “the Secretary of State” insert “, the Welsh Ministers”.

(5) After subsection (11A) insert—

(1) Section 130 was amended by section 206 of the Greater London Authority Act 1999 (c. 29) and by the Railways Act 2005 (c. 14), section 47, Schedule 1, paragraph 34 and Schedule 13, Part 1.

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

“(11B) A statutory instrument containing regulations made by the Welsh Ministers under this section is subject to annulment in pursuance of a resolution of the National Assembly for Wales.”