

## SCHEDULE

### AMENDMENTS TO THE RAILWAYS ACTS 1993 AND 2005

#### PART 1

##### AMENDMENTS TO THE RAILWAYS ACT 1993

5.—(1) Section 23 (passenger services to be subject to franchise agreements)<sup>(1)</sup> is amended as follows.

(2) After subsection (2ZC) insert—

“(2ZD) Where the Welsh Ministers designate Wales-only services, they may also designate Welsh components of Welsh services which—

- (a) they consider should be provided under the same franchise agreement as particular Wales-only services or a particular class of Wales-only services; and
- (b) are not exempt from designation under subsection (1) by virtue of section 24.

(2ZE) Nothing in this section requires the Secretary of State to designate a Welsh service so far as already designated by the Welsh Ministers.”

(3) In subsection (3)—

(a) in the definition of “the appropriate designating authority”, after paragraph (a) omit “and” and insert—

“(aa) in relation to Wales-only services, means the Welsh Ministers; and”;

(b) in the definition of “the appropriate franchising authority”, after paragraph (a) omit “and” and insert—

“(aa) in relation to a Welsh franchise agreement to the extent that the franchised services under it are Wales-only services or Welsh components of Welsh services, means the Welsh Ministers;

(ab) in relation to a Welsh franchise agreement to the extent that the franchised services under it are services other than Wales-only services or Welsh components of Welsh services, means the Secretary of State;”;

(c) in the definition of “franchise agreement” for the words “with the Secretary of State, with the Scottish Ministers or with the Secretary of State and the National Assembly for Wales jointly” substitute “to which the Secretary of State, the Scottish Ministers or the Welsh Ministers is or are party”.

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<sup>(1)</sup> Section 23 was amended by the Transport Act 2000 (c. 38), section 212 and Schedule 16, paragraph 14 and the Railways Act 2005 (c. 14), Schedule 1, paragraph 13.