



# Railways Act 1993

## CHAPTER 43

### RAILWAYS ACT 1993

#### PART I

##### THE PROVISION OF RAILWAY SERVICES

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- 120 Security: enforcement notices.
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- 128 Amendment of section 13 of the Transport Act 1962.
- 129 Bye-laws.
- 130 Penalty fares.
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*Transport police*

- 132 Schemes for the organisation etc. of transport police.
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*Financial provisions*

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- 138 Grants and other payments towards facilities for public passenger transport to and from airports, harbours etc.
- 139 Grants to assist the provision of facilities for freight haulage by railway.
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- 141 Financial assistance for employees seeking to acquire franchises or parts of the Board's undertaking etc.
- 142 General financial provisions.

*Supplemental*

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- 144 Directions.
- 145 General restrictions on disclosure of information.
- 146 Making of false statements etc.
- 147 Offences by bodies corporate or Scottish partnerships.
- 148 Proceedings in Scotland.
- 149 Service of documents.
- 149A Service of documents under sections 118 to 120: additional provisions
- 150 Crown application.
- 151 General interpretation.
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- 153 Power to make consequential modifications in other Acts etc.
- 154 Short title, commencement and extent.

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SCHEDULES

SCHEDULE 1 —

*Remuneration, pensions etc.*

- 1 (1) There shall be paid to a holder of the...

*Staff*

- 2 (1) The Regulator . . . may . . . ,...

*Expenses of the Regulator, . . . and . . . staff*

- 3 There shall be paid out of money provided by Parliament—...

*Official seal*

- 4 The Regulator . . . shall . . . have...

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*Performance of functions*

5 Anything authorised or required by or under this Act or...

*Documentary evidence*

6 The Documentary Evidence Act 1868 shall have effect as if—...

*The Parliamentary Commissioner*

7 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments...

*Parliamentary disqualification etc.*

8 In Part III of Schedule 1 to the House of...

SCHEDULE 2 — Rail Passengerscommittees

*Preliminary*

1 .....

*Remuneration of, and allowances for, members*

2 There shall be paid to the chairman and other members...  
2A If a person ceases to hold office as chairman or...

*Allowances for other members*

3 .....

*Administration etc.*

4 The Authority shall make arrangements for a Rail Passengers’ Committee...

*Proceedings*

5 (1) Subject to the following provisions of this paragraph and...

*Admission of public to meetings*

6 (1) Subject to sub-paragraph (2) below, meetings of a Rail...

*Sub-committees*

7 (1) A Rail Passengers’ Committee may, . . . —

*Financial provisions*

8 (1) There shall be paid by the Authority—

*Amendment of other Acts*

9 .....

10 .....

SCHEDULE 3 — The Rail Passengers’ Council

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*Preliminary*

1 .....

*Remuneration of, and allowances for, members*

2 There shall be paid to the chairman and other members...

*Allowances for other members*

3 .....

*Administration etc.*

4 The Authority shall make arrangements for the Rail Passengers' Council...

*Proceedings*

5 (1) Subject to the following provisions of this paragraph and...

*Admission of public to meetings*

6 (1) Subject to sub-paragraph (2) below, meetings of the Rail...

*Sub-committees*

7 (1) The Rail Passengers' Council may . . . —...

*Financial provisions*

8 (1) There shall be paid by the Authority—

*Amendment of other Acts*

9 .....

SCHEDULE 4 — Access agreements: applications for access contracts

*Interpretation*

1 In this Schedule— “application for directions” means an application for...

*Making and withdrawal of application*

2 (1) Any application for directions must be made in writing...

*Notifications, representations and information*

3 (1) the Office of Rail Regulation shall—

*Interested persons*

4 (1) Where the Office of Rail Regulation receives an application...

*The decision and the directions*

5 (1) the Office of Rail Regulation shall inform the applicant,...

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*Effect of directions on facility owner and interested persons*

- 6 (1) Any directions given on an application for directions or...

*Financial provision*

- 7 .....

SCHEDULE 4A — Review of access charges by the Office of Rail Regulation

*Application of Schedule*

- 1 This Schedule applies where an access agreement provides, or is...

*Scope of review*

- 1A (1) Where the Office of Rail Regulation undertakes such a...

*Response to request to carry out review*

- 1B Where— (a) the Secretary of State or the Scottish Ministers...

*Notice of access charges review*

- 1C (1) Before beginning an access charges review, the Office of...

*Duty to notify ORR about desired outputs and finances*

- 1D (1) Where a notice under paragraph 1C is given to...

*Suggestions about future reviews*

- 1E Where the Secretary of State or the Scottish Ministers provide...

*Revision of outputs and financial information*

- 1F (1) If, at any time in the course of an...

*Notification of likely adverse effect on interests of certain providers of railway services*

- 1G (1) If, at any time in the course of an...

*Duty to have regard to information about desired outputs and finances etc.*

- 1H (1) The Office of Rail Regulation must conduct an access...

*Main provisions*

- 2 (1) The procedure for the implementation of an access charges...  
3 An access charges review may include a consideration of—

*Review notice*

- 4 (1) The implementation of an access charges review shall be...

*Notice of agreement*

- 5 (1) If no objections are duly made by a person...

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*Termination notice*

- 6 (1) After a copy of a notice of agreement is...

*Review implementation notice*

- 7 (1) After a copy of a notice of agreement is...

*New review notice or Competition Commission reference*

- 8 (1) This paragraph applies if— (a) objections are duly made...

*Reference to Competition Commission*

- 9 (1) A reference to the Competition Commission under this paragraph...  
10 *References under paragraph 9: time limits*  
10A *References under paragraph 9: application of Enterprise Act 2002*

*Report on reference*

- 11 (1) In making a report on a reference under paragraph...

*Changes following report*

- 12 (1) Where a report of the Competition Commission on a...

*Competition Commission's power to veto changes*

- 13 (1) The Competition Commission may, within the period of four...

*Making of changes by Competition Commission*

- 14 (1) If the Competition Commission give a direction under paragraph...

*Paragraphs 13 and 14: supplementary*

- 15 (1) For the purposes of the law relating to defamation,...

*Termination notice in response to proposals after reference*

- 16 (1) Where a notice is served on the beneficiary under...

SCHEDULE 5 —

*Application of Schedule*

- 1 (1) This Schedule applies in relation to any railway passenger...

*Notice of proposed closure*

- 2 (1) Where a person (in this Schedule referred to as...

*Objections*

- 3 (1) Where a notice has been published under paragraph 2...

*Publication of consent at stations*

- 3A Where the Secretary of State has given his consent under...

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*Conditions*

- 4 (1) The Secretary of State may give his consent under...

*Functions of the consultative Rail Passengers' Committee*

- 5 (1) A Rail Passengers' Committee with whom an objection has...

*Qualifying services in and around Greater London*

- 5A (1) This paragraph applies to any qualifying services—

*Interpretation*

- 6 (1) For the purposes of this Schedule, the appropriate Rail...

SCHEDULE 6 — Railway administration orders  
Part I — MODIFICATIONS OF THE 1986 ACT

*General application of provisions of 1986 Act*

- 1 Where a railway administration order has been made, sections 11...

*Effect of order*

- 2 In section 11 of the 1986 Act (effect of order),...

*Appointment of special railway administrator*

- 3 In section 13 of the 1986 Act (appointment of administrator),...

*General powers of special railway administrator*

- 4 In section 14 of the 1986 Act (general powers of...

*Power to deal with charged property*

- 5 (1) Section 15 of the 1986 Act (power to deal...

*Duties of special railway administrator*

- 6 (1) Section 17 of the 1986 Act (duties of administrator),...

*Discharge of order*

- 7 (1) Section 18 of the 1986 Act (discharge and variation...

*Notice of making of order*

- 8 In section 21(2) of the 1986 Act (notice of order...

*Statement of proposals*

- 9 In section 23 of the 1986 Act (statement of proposals),...

*Applications to court*

- 10 (1) Section 27 of the 1986 Act (protection of interests...

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*Particular powers of special railway administrator*

- 11 In the application of Schedule 1 to the 1986 Act...  
Part II — FURTHER MODIFICATIONS OF THE 1986 ACT: APPLICATION IN  
RELATION TO FOREIGN COMPANIES

*Introductory*

- 12 (1) Where a railway administration order has been made in...

*Effect of order*

- 13 (1) Section 11 of the 1986 Act (effect of administration...

*Notification of order*

- 14 In section 12 of the 1986 Act (notification of order),...

*General powers of special railway administrator*

- 15 (1) Section 14 of the 1986 Act (general powers of...

*Power to deal with charged property*

- 16 In section 15 of the 1986 Act (power of administrator...

*Duties of special railway administrator*

- 17 In section 17 of the 1986 Act (general duties of...

*Statement as to company's affairs*

- 18 In section 22(1) of the 1986 Act (power of administrator...

*Particular powers of special railway administrator*

- 19 (1) The powers conferred on a special railway administrator by...  
Part III — SUPPLEMENTAL

*General adaptations and saving*

- 20 (1) Subject to the preceding provisions of this Schedule, references...

*Interpretation*

- 21 (1) In this Schedule “the 1986 Act” means the Insolvency...

SCHEDULE 7 — Transfer of relevant activities in connection with railway  
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*Application of Schedule*

- 1 (1) This Schedule shall apply in any case where—

*Making and modification of transfer schemes*

- 2 (1) The existing appointee, acting with the consent of the...

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*Transfers by scheme*

- 3 (1) A scheme under this Schedule for the transfer of...

*Transfer of licences*

- 4 (1) A scheme under this Schedule may provide for a...

*Supplemental provisions of schemes*

- 5 (1) A scheme under this Schedule may contain supplemental, consequential...

*Duties of existing appointee after the scheme comes into force*

- 6 (1) A scheme under this Schedule may provide for the...

*Functions under private and local legislation etc.*

- 7 (1) A scheme under this Schedule may provide that any...

SCHEDULE 8 — Transfers by transfer scheme

*Allocation of property, rights and liabilities*

- 1 (1) The provisions of this paragraph and paragraph 2 below...  
2 (1) It shall be the duty of the transferor and...

*Variation of transfers by agreement*

- 3 (1) The provisions of this paragraph shall have effect where...

*Right to production of documents of title*

- 4 (1) This paragraph applies where, on any transfer to which...

*Perfection of vesting of foreign property, rights and liabilities*

- 5 (1) This paragraph applies in any case where a transfer...

*Proof of title by certificate*

- 6 (1) In the case of any transfer to which this...

*Restrictions on dealing with certain land*

- 7 (1) If the Secretary of State is satisfied on the...

*Construction of agreements, statutory provisions and documents*

- 8 (1) This paragraph applies where, in the case of any...  
9 (1) Except as otherwise provided in any provision of this...  
10 On and after the transfer date for any transfer to...  
11 (1) The transferee under a transfer to which this Schedule...  
12 If, in the case of any transfer to which this...  
13 (1) References in paragraphs 8 to 12 above to agreements...

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*Third parties affected by vesting provisions*

- 14 (1) Without prejudice to the provisions of paragraphs 8 to...

*Interpretation*

- 15 In this Schedule “statutory provision” means a provision whether of...

SCHEDULE 9 — Stamp duty and stamp duty reserve tax

*Interpretation*

- 1 (1) In this Schedule— “the Inland Revenue” means the Commissioners...

*Stamp duty*

- 2 (1) Stamp duty shall not be chargeable on any restructuring...

*Stamp duty reserve tax*

- 3 (1) An agreement to transfer chargeable securities, as defined in...

SCHEDULE 10 —

*The British Transport Commission Act 1949*

- 1 (1) Section 53 of the British Transport Commission Act 1949...  
2 (1) The said section 53 shall in its application to...

*The Transport Act 1962*

- 3 (1) In the Transport Act 1962, sections 69 (organisation of...

SCHEDULE 11 — Pensions

*Interpretation*

- 1 (1) In this Schedule— “eligible persons”, in the case of...

*Establishment of new schemes*

- 2 (1) The Secretary of State may by order provide for...

*Amendment of existing schemes*

- 3 (1) The Secretary of State may by order amend—

*Transfer of pension rights and corresponding assets and liabilities*

- 4 (1) Where persons with pension rights under any existing or...

*Protection of pension rights: meaning of “protected person”*

- 5 In this Schedule “protected person” means— (a) any person who...

*The powers of protection*

- 6 (1) The Secretary of State may by order make provision...

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*Protection: supplementary provisions*

- 7 (1) Without prejudice to the generality of paragraph 6 above,...

*Entitlement to participate in the joint industry scheme*

- 8 (1) The Secretary of State may by order make provision...

*Payments in discharge of liabilities under s.52(1) of the Transport Act 1980*

- 9 (1) In section 52 of the Transport Act 1980, in...

*Application and modification of Part III of the 1980 Act*

- 10 (1) The Secretary of State may by order designate—

*Government guarantees to trustees of certain new schemes*

- 11 (1) Subject to the following provisions of this paragraph, the...

*Supplementary*

- 12 If it appears to the Secretary of State necessary or...

*Parliamentary procedure*

- 13 (1) A statutory instrument containing an order under this Schedule,...

*Transitory provision*

- 14 In this Schedule, and in any amendment made by this...

SCHEDULE 12 — Minor and consequential amendments

*The Regulation of Railways Act 1889*

- 1 Section 6 of the Regulation of Railways Act 1889 (which...

*The Railway Fires Act 1905*

- 2 (1) In section 1 of the Railway Fires Act 1905...

*The Railway Fires Act (1905) Amendment Act 1923*

- 3 In section 2 of the Railway Fires Act (1905) Amendment...

*The British Transport Commission Act 1950*

- 4 Section 43 of the British Transport Commission Act 1950 (power...

*The Transport Act 1962*

- 5 (1) The Transport Act 1962 shall be amended in accordance...

*The Transport Act 1968*

- 6 (1) The Transport Act 1968 shall be amended in accordance...

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*The Fair Trading Act 1973*

- 7 In section 133(2) of the Fair Trading Act 1973 (exceptions...

*The Consumer Credit Act 1974*

- 8 In section 174(3) of the Consumer Credit Act 1974 (exceptions...

*The Railways Act 1974*

- 9 In the Railways Act 1974, section 9 (which provides for...

*The Restrictive Trade Practices Act 1976*

- 10 In section 41(1) of the Restrictive Trade Practices Act 1976...

*The Estate Agents Act 1979*

- 11 In section 10(3) of the Estate Agents Act 1979 (exceptions...

*The Competition Act 1980*

- 12 (1) In section 11 of the Competition Act 1980, in...

*The Telecommunications Act 1984*

- 13 (1) In subsection (2) of section 101 of the Telecommunications...

*The London Regional Transport Act 1984*

- 14 (1) Section 2 of the London Regional Transport Act 1984...  
15 In section 7 of that Act (planning of passenger transport...  
16 In section 31 of that Act (duty of Board to...  
17 After that section there shall be inserted— Duty of Franchising...  
18 (1) Section 40 of that Act shall have effect with...  
19 Section 41 of that Act (which provides for the committee...  
20 In section 59 of that Act (which confers power on...  
21 In section 68 of that Act (interpretation) the following definitions...  
22 (1) In Schedule 3 to that Act, in paragraph 5...

*The Airports Act 1986*

- 23 (1) In subsection (2) of section 74 of the Airports...

*The Gas Act 1986*

- 24 (1) In subsection (2) of section 42 of the Gas...

*The Insolvency Act 1986*

- 25 In section 413 of the Insolvency Act 1986, at the...

*The Consumer Protection Act 1987*

- 26 (1) Section 38 of the Consumer Protection Act 1987 (which...

*The Channel Tunnel Act 1987*

- 27 In Schedule 6 to the Channel Tunnel Act 1987, in...

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**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](http://legislation.gov.uk) editorial team to Railways Act 1993. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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*The Electricity Act 1989*

- 28 (1) In subsection (2) of section 57 of the Electricity...

*The New Roads and Street Works Act 1991*

- 29 In section 10 of the New Roads and Street Works...

*The Water Industry Act 1991*

- 30 In the Water Industry Act 1991 (subsection (3)(d) of section...

*The Water Resources Act 1991*

- 31 In the Water Resources Act 1991 (subsection (2)(d) of section...

*The British Coal and British Rail (Transfer Proposals) Act 1993*

- 32 The British Coal and British Rail (Transfer Proposals) Act 1993...

SCHEDULE 13 — Transitional provisions and savings

*The Central Committee*

- 1 (1) Unless the Secretary of State otherwise directs, any person...

*Consultative committees*

- 2 (1) Until such time as the Regulator otherwise directs—

*Proposed closures*

- 3 (1) This paragraph applies in any case where—

*Saving for section 41 of the Channel Tunnel Act 1987*

- 4 (1) Section 41 of the Channel Tunnel Act 1987 (which...

SCHEDULE 14 — Repeals

### Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Railways Act 1993. Any changes that have already been made by the team appear in the content and are referenced with annotations.

#### Changes and effects yet to be applied to :

- s. 4(1)-(6) excluded by S.I. 2010/1504 reg. 13(3)
- s. 4(1) modified by 2008 c. 18 s. 22
- s. 6(1) excluded by 2008 c. 18 s. 24
- s. 15(1) amended by S.I. 2008/632 art. 5
- s. 25 excluded by 2008 c. 18 s. 25
- s. 25(1)(c) text amended by 2008 c. 26 Sch. 4 para. 58(2)(a)
- s. 25(1)(d) text amended by 2008 c. 26 Sch. 4 para. 58(2)(b)
- s. 25(1)(d) text amended by 2009 c. 20 Sch. 6 para. 85(b)
- s. 25(1)(ca) inserted by 2009 c. 20 Sch. 6 para. 85(a)
- s. 25(2) substituted by S.I. 2009/1941 Sch. 1 para. 143(2)
- s. 55-58 applied by S.I. 2010/1504 reg. 17
- s. 59(7) words substituted by S.I. 2009/1941 Sch. 1 para. 143(3)
- s. 65(1) substituted by S.I. 2009/1941 Sch. 1 para. 143(4)
- s. 68(2) text amended by S.I. 2010/439 Sch. para. 6(2)
- s. 76 modified by S.I. 2010/1504 reg. 18(2)
- s. 76 text amended by S.I. 2010/439 Sch. para. 6(3)(a)
- s. 76 cross-heading text amended by S.I. 2010/439 Sch. para. 6(4)
- s. 76 heading text amended by S.I. 2010/439 Sch. para. 6(3)(b)
- s. 76A text amended by S.I. 2010/439 Sch. para. 6(5)
- s. 94(6) text amended by S.I. 2008/948 Sch. 1 para. 193(a)
- s. 106(4) text amended by S.I. 2008/948 Sch. 1 para. 193(b)
- s. 114(1) words substituted by S.I. 2009/1941 Sch. 1 para. 143(5)(a)
- s. 114(1) words substituted by S.I. 2009/1941 Sch. 1 para. 143(5)(b)
- s. 122 modified by 2008 c. 18 s. 34
- s. 136(2)(2A) ceased to have effect by 1993 c. 43 s. 136(2B) (as inserted) by S.I. 2010/402 reg. 2(2)
- s. 136(2B) inserted by S.I. 2010/402 reg. 2(2)
- s. 136(5)(a) text amended by 2008 c. 26 Sch. 4 para. 58(3)
- s. 136(11) text amended by S.I. 2010/402 reg. 2(3)
- s. 145 modified by S.I. 2010/1504 reg. 19
- s. 145(2)(e) text amended by S.I. 2008/960 Sch. 3
- s. 145(2)(gb) text amended by S.I. 2009/1122 Sch. para. 1(2)(a)
- s. 145(3)(r) substituted by S.I. 2008/1277 Sch. 2 para. 52(b)
- s. 145(3)(qu) inserted by S.I. 2008/1277 Sch. 2 para. 52(a)
- s. 145(5)(a) text amended by S.I. 2010/439 Sch. para. 6(6)
- s. 149(5) text amended by 2008 c. 26 Sch. 4 para. 58(4)
- s. 149(5) text amended by 2009 c. 20 Sch. 6 para. 86
- s. 151(1) words substituted by S.I. 2009/1941 Sch. 1 para. 143(6)(a)
- s. 151(1) words substituted by S.I. 2009/1941 Sch. 1 para. 143(6)(b)
- Sch. 6 para. 7(4)(a)(b) substituted by S.I. 2009/1941 Sch. 1 para. 143(7)(c)
- Sch. 6 para. 8(a)(b) substituted by S.I. 2009/1941 Sch. 1 para. 143(7)(c)
- Sch. 6 para. 1(b) words substituted by S.I. 2009/1941 Sch. 1 para. 143(7)(a)
- Sch. 6 para. 4(b) words substituted by S.I. 2009/1941 Sch. 1 para. 143(7)(b)
- Sch. 6 para. 9(e) words substituted by S.I. 2009/1941 Sch. 1 para. 143(7)(d)
- Sch. 6 para. 10(5) words substituted by S.I. 2009/1941 Sch. 1 para. 143(7)(e)(i)
- Sch. 6 para. 10(5) words substituted by S.I. 2009/1941 Sch. 1 para. 143(7)(e)(ii)

**Changes and effects yet to be applied to the whole Act, associated Parts and Chapters:**

- Blanket amendment text amended by [S.I. 2011/1043 art. 3 4](#)
- Blanket amendment text amended by [S.I. 2011/1043 art. 3 6](#)

**Commencement Orders yet to be applied to the Railways Act 1993:**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2009/107 art. 2-5 Sch. 1-5](#) Commencement Order
- [S.I. 2009/3318 art. 2-4](#) commences (2009 c. 20)