

*These notes refer to the Railways Act 2005 (c.14)
which received Royal Assent on 7 April 2005*

RAILWAYS ACT 2005

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 5: Further Miscellaneous Provisions

Conduct and accessibility on railways

Section 47: Power of Scottish Ministers to make penalty fare regulations

164. Under the terms of Section 130 of the 1993 Act, as amended by the Transport Act 2000, provision is made for the making of regulations connected with the charging of penalty fares on the national rail network. The power to make regulations relating to the amount of a penalty fare is currently a power for the Secretary of State to exercise. Section 47 makes provision for the Scottish Ministers to also be empowered to make penalty fare regulations in relation to trains and stations used in connection with railway passenger services provided under Scottish franchise agreements, other Scotland-only services or services which have been secured by the Scottish Ministers. Regulations made by the Scottish Ministers will be subject to the negative resolution procedure in the Scottish Parliament (the equivalent procedure in Scotland to that which applies to regulations made by the Secretary of State under section 130 of the 1993 Act).