

*Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, Cross Heading: ORR acting as agent of government departments and other public authorities. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### TRANSFER OF SAFETY FUNCTIONS

*ORR acting as agent of government departments and other public authorities*

- 7 (1) Where the Secretary of State considers that any of his statutory or other functions can appropriately be carried out by the [F<sup>1</sup>Office of Rail and Road] in connection with the carrying out of its safety functions, he and that Office may enter into an agreement for that Office to carry out those functions on his behalf.
- (2) Where the Secretary of State considers that any of the statutory or other functions of—
- (a) a government department, or
  - (b) any other public authority,
- can appropriately be carried out by the [F<sup>1</sup>Office of Rail and Road] in connection with the carrying out of its safety functions, he may authorise the Office and that department or authority to enter into an agreement for that Office to carry out those functions on behalf of that department or authority.
- (3) An agreement under this paragraph—
- (a) may include provision for payments to be made to the [F<sup>1</sup>Office of Rail and Road] for the carrying out of the functions that it is authorised or required to carry out under the agreement; but
  - (b) may not authorise or require the [F<sup>1</sup>Office of Rail and Road] to carry out any function consisting in a power to make regulations or other instruments of a legislative character.
- [F<sup>2</sup>(4) Sub-paragraph (3)(b) does not prevent the Secretary of State and the [F<sup>1</sup>Office of Rail and Road] from entering into an agreement for that Office to carry out on his behalf the function of making orders under section 1 of the Level Crossings Act 1983.]

#### Textual Amendments

- F1** Words in [Sch. 3 para. 7](#) substituted (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), [Sch. para. 3\(s\)\(iv\)](#)
- F2** [Sch. 3 para. 7\(4\)](#) inserted (8.11.2006) by [Road Safety Act 2006 \(c. 49\)](#), [ss. 51\(1\)](#), 61(9)

#### Commencement Information

- I1** [Sch. 3 para. 7](#) in force at 1.4.2006 by [S.I. 2006/266](#), art. 2(2), [Sch.](#)

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