

## SCHEDULE 1

### AMENDMENTS, REPEALS AND REVOCATIONS

#### PART 2

##### AMENDMENTS AND REVOCATIONS OF SECONDARY LEGISLATION

###### **The Town and Country Planning (Control of Advertising) Regulations 1992**

7.—(1) In the Town and Country Planning (Control of Advertising) Regulations 1992(1), regulation 2(1) (interpretation) shall be amended as follows.

(2) After the definition of “discontinuance notice”, insert—

““EEA State” means a member State, Norway, Iceland or Liechtenstein;”.

(3) In the definition of “statutory undertaker”, after “Railways Act 1993,” insert “any person who holds a European licence granted pursuant to the Railway (Licensing of Railway Undertakings) Regulations 2005(2) or pursuant to any action taken by an EEA State for the purpose of implementing Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings(3), as amended by Directive 2001/13/EC dated 26th February 2001(4) and Directive 2004/49/EC dated 29th April 2004(5), both of the European Parliament and of the Council;”.

###### **The Railways (Amendment) Regulations 1998**

8. The Railways (Amendment) Regulations 1998(6) are revoked.

###### **The London Underground (East London Line Extension) (No. 2) Order 2001**

9.—(1) In the London Underground (East London Line Extension) (No. 2) Order 2001(7), Schedule 11 (protection for Railtrack) shall be amended as follows.

(2) In paragraph 1(2)—

(a) after the definition of “designated lands”, insert—

““EEA State” means a member State, Norway, Iceland or Liechtenstein;” and

(b) in the definition of “train operator”, at the end add “or any person who holds a European licence granted pursuant to the Railway (Licensing of Railway Undertakings) Regulations 2005(8) or pursuant to any action taken by an EEA State for the purpose of implementing Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings(9), as amended by Directive 2001/13/EC dated 26th February 2001(10) and Directive 2004/49/EC dated 29th April 2004(11), both of the European Parliament and of the Council;”.

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(1) [S.I. 1992/666](#); the relevant amending instrument is [S.I. 1994/2351](#).

(2) [S.I. 2005/3050](#).

(3) O.J. L 143, 27.6.1995, p. 70.

(4) O.J. L 75, 15.3.2001, p. 26.

(5) O.J. L 164, 30.4.2004, p. 44, to which there has been a corrigendum which is not relevant to these Regulations.

(6) [S.I. 1998/1519](#).

(7) [S.I. 2001/3682](#).

(8) [S.I. 2005/3050](#).

(9) O.J. L 143, 27.6.1995, p. 70.

(10) O.J. L 75, 15.3.2001, p. 26.

(11) O.J. L 164, 30.4.2004, p. 44, to which there has been a corrigendum which is not relevant to these Regulations.

### **The Docklands Light Railway (Silvertown and London City Airport Extension) Order 2002**

**10.**—(1) In the Docklands Light Railway (Silvertown and London City Airport Extension) Order 2002(12), Schedule 11 (protection of railway undertakers) shall be amended as follows.

(2) In paragraph 13(6)—

(a) before the definition of “the relevant costs”, insert—

““EEA State” means a member State, Norway, Iceland or Liechtenstein;” and

(b) in the definition of “train operator”, at the end add “or any person who holds a European licence granted pursuant to the Railway (Licensing of Railway Undertakings) Regulations 2005(13) or pursuant to any action taken by an EEA State for the purpose of implementing Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings(14), as amended by Directive 2001/13/EC dated 26th February 2001(15) and Directive 2004/49/EC dated 29th April 2004(16), both of the European Parliament and of the Council;”.

### **The Docklands Light Railway (Woolwich Arsenal Extension) Order 2004**

**11.**—(1) In the Docklands Light Railway (Woolwich Arsenal Extension) Order 2004(17), Schedule 13 (protection of railway interests) shall be amended as follows.

(2) In paragraph 15(6)—

(a) before the definition of “the relevant costs”, insert—

““EEA State” means a member State, Norway, Iceland or Liechtenstein;” and

(b) in the definition of “train operator”, at the end add “or any person who holds a European licence granted pursuant to the Railway (Licensing of Railway Undertakings) Regulations 2005(18) or pursuant to any action taken by an EEA State for the purpose of implementing Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings(19), as amended by Directive 2001/13/EC dated 26th February 2001(20) and Directive 2004/49/EC dated 29th April 2004(21), both of the European Parliament and of the Council;”.

### **The British Transport Police (Police Services Agreement) Order 2004**

**12.**—(1) In the British Transport Police (Police Services Agreement) Order 2004(22), article 2 (requirement to enter into a police services agreement) shall be amended as follows.

(2) At the end of paragraph (1)(b), add “or who has been granted a European licence pursuant to the Railway (Licensing of Railway Undertakings) Regulations 2005(23) or pursuant to any action taken by an EEA State for the purpose of implementing Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings(24), as amended by Directive 2001/13/EC dated

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(12) [S.I. 2002/1066](#).

(13) [S.I. 2005/3050](#).

(14) O.J. L 143, 27.6.1995, p. 70.

(15) O.J. L 75, 15.3.2001, p. 26.

(16) O.J. L 164, 30.4.2004, p. 44, to which there has been a corrigendum which is not relevant to these Regulations.

(17) [S.I. 2004/757](#).

(18) [S.I. 2005/3050](#).

(19) O.J. L 143, 27.6.1995, p. 70.

(20) O.J. L 75, 15.3.2001, p. 26.

(21) O.J. L 164, 30.4.2004, p. 44, to which there has been a corrigendum which is not relevant to these Regulations.

(22) [S.I. 2004/1522](#).

(23) [S.I. 2005/3050](#).

(24) O.J. L 143, 27.6.1995, p. 70.

26th February 2001<sup>(25)</sup> and Directive [2004/49/EC](#) dated 29th April 2004<sup>(26)</sup>, both of the European Parliament and of the Council, in connection with the railway services in question.”.

(3) At the end of paragraph (3), insert—

“; and “EEA State” means a member State, Norway, Iceland or Liechtenstein.”.

### **The Central Rating List (Wales) Regulations 2005**

**13.**—(1) In the Central Rating List (Wales) Regulations 2005<sup>(27)</sup>, regulation 7 (railway hereditaments) shall be amended as follows.

(2) In paragraph (3)—

(a) before the definition of “excepted hereditament”, insert—

““EEA State” means a member State, Norway, Iceland or Liechtenstein;” and

(b) in the definition of “licence exempt operator” and “licence holder”, after “Railways Act 1993” insert “except that “licence holder” also includes a holder of a European licence granted pursuant to the Railway (Licensing of Railway Undertakings) Regulations 2005<sup>(28)</sup> or pursuant to any action taken by an EEA State for the purpose of implementing Council Directive [1995/18/EC](#) dated 19th June 1995 on the licensing of railway undertakings<sup>(29)</sup>, as amended by Directive [2001/13/EC](#) dated 26th February 2001<sup>(30)</sup> and Directive [2004/49/EC](#) dated 29th April 2004<sup>(31)</sup>, both of the European Parliament and of the Council;”.

### **Central Rating List (England) Regulations 2005**

**14.**—(1) In the Central Rating List (England) Regulations 2005<sup>(32)</sup>, regulation 6 (railway hereditaments) shall be amended as follows.

(2) In paragraph (4)—

(a) before the definition of “excepted hereditament”, insert—

““EEA State” means a member State, Norway, Iceland or Liechtenstein;” and

(b) in the definition of “licence exempt operator” and “licence holder”, after “Railways Act 1993” insert “except that “licence holder” also includes a holder of a European licence granted pursuant to the Railway (Licensing of Railway Undertakings) Regulations 2005<sup>(33)</sup> or pursuant to any action taken by an EEA State for the purpose of implementing Council Directive [1995/18/EC](#) dated 19th June 1995 on the licensing of railway undertakings<sup>(34)</sup>, as amended by Directive [2001/13/EC](#) dated 26th February 2001<sup>(35)</sup> and Directive [2004/49/EC](#) dated 29th April 2004<sup>(36)</sup>, both of the European Parliament and of the Council;”.

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<sup>(25)</sup> O.J. L 75, 15.3.2001, p. 26.

<sup>(26)</sup> O.J. L 164, 30.4.2004, p. 44, to which there has been a corrigendum which is not relevant to these Regulations.

<sup>(27)</sup> [S.I. 2005/422 \(W 40\)](#).

<sup>(28)</sup> [S.I. 2005/3050](#).

<sup>(29)</sup> O.J. L 143, 27.6.1995, p. 70.

<sup>(30)</sup> O.J. L 75, 15.3.2001, p. 26.

<sup>(31)</sup> O.J. L 164, 30.4.2004, p. 44, to which there has been a corrigendum which is not relevant to these Regulations.

<sup>(32)</sup> [S.I. 2005/551](#).

<sup>(33)</sup> [S.I. 2005/3050](#).

<sup>(34)</sup> O.J. L 143, 27.6.1995, p. 70.

<sup>(35)</sup> O.J. L 75, 15.3.2001, p. 26.

<sup>(36)</sup> O.J. L 164, 30.4.2004, p. 44, to which there has been a corrigendum which is not relevant to these Regulations.