



Railways Act 1993

CHAPTER 43

RAILWAYS ACT 1993

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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- 112 Stamp duty and stamp duty reserve tax

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SCHEDULES

SCHEDULE 1 — The Regulator and the Franchising Director

Remuneration, pensions etc.

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

Staff

2 (1) The Regulator and the Franchising Director may each, with...

Expenses of the Regulator, the Franchising Director and their staff

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

Official seal

4 The Regulator and the Franchising Director shall each have an...

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 users' consultative committees

Preliminary

1 In this Schedule any reference to the committee is a...

Remuneration of, and allowances for, the chairman

2 There shall be paid to the chairman of the committee...

Allowances for other members

3 There shall be paid to members of the committee other...

Administration etc.

4 The Regulator shall make arrangements for the committee to be...

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 committee...

Sub-committees

7 (1) The committee may, with the approval of the Regulator—...

Status: This is the original version (as it was originally enacted).

Financial provisions

- 8 (1) There shall be paid by the Regulator out of...

Amendment of other Acts

- 9 In section 14(1) of the Chronically Sick and Disabled Persons...
10 In Part III of Schedule 1 to the House of...

SCHEDULE 3 — The Central Rail Users' Consultative Committee

Preliminary

- 1 In this Schedule any reference to the committee is a...

Remuneration of, and allowances for, the chairman

- 2 There shall be paid to the chairman of the committee...

Allowances for other members

- 3 There shall be paid to members of the committee other...

Administration etc.

- 4 The Regulator shall make arrangements for the committee to be...

Proceedings

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

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

Sub-committees

- 7 (1) The committee may, with the approval of the Regulator—...

Financial provisions

- 8 (1) There shall be paid by the Regulator out of...

Amendment of other Acts

- 9 In Part III of Schedule 1 to the House of...

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 Regulator shall— (a) send a copy of any...

Interested persons

4 (1) Where the Regulator receives an application for directions, he...

The decision and the directions

5 (1) The Regulator shall inform the applicant, the facility owner...

Effect of directions on facility owner and interested persons

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

Financial provision

7 (1) Any sums required by the Franchising Director for the...

SCHEDULE 5 — Alternative closure procedure

Application of Schedule

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

Notice of proposed closure

2 Where a person (in this Schedule referred to as “the...

Objections

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

Conditions

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

Functions of the consultative committee

5 (1) A consultative committee with whom an objection has been...

Interpretation

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

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),...

Status: This is the original version (as it was originally enacted).

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...

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
administration orders

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...

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...

Status: This is the original version (as it was originally enacted).

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...

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 — Transport police: consequential provisions

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...

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

Status: This is the original version (as it was originally enacted).

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...

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...

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—

Status: This is the original version (as it was originally enacted).

Saving for section 41 of the Channel Tunnel Act 1987

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

SCHEDULE 14 — Repeals