



# Railways Act 1993

## 1993 CHAPTER 43

### PART III

#### MISCELLANEOUS, GENERAL AND SUPPLEMENTAL PROVISIONS

##### *Pensions and other benefits*

#### **134 Pensions.**

- (1) Schedule 11 to this Act shall have effect.
- (2) Section 74 of the <sup>M1</sup>Transport Act 1962 (power of Secretary of State to make orders about pensions) shall cease to have effect, so far as relating to the Board and (within the meaning of that section) its subsidiaries, on the coming into force of subsection (1) above.
- (3) Subsection (2) above is without prejudice to the continuing validity of any orders made under that section.

#### **Commencement Information**

- II** S. 134 wholly in force; s. 134 not in force at Royal Assent see s. 154(2); s. 134(1) in force for specified purposes and s. 134(2)(3) in force at 6.1.1994 by [S.I. 1993/3237](#), [art. 2\(2\)](#); s. 134(1) in force at 16.8.1994 insofar as not already in force by [S.I. 1994/2142](#), [art. 2](#)

#### **Marginal Citations**

- M1** [1962 c. 46](#).

#### **135 Concessionary travel for railway staff etc.**

- (1) The conditions that may be included in a passenger licence include conditions in respect of arrangements for the provision of staff concessionary travel.

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- (2) The [<sup>F1</sup>Secretary of State and the Scottish Ministers may each] promote the provision of staff concessionary travel.
- (3) The [<sup>F1</sup>Secretary of State and the Scottish Ministers may each] enter into agreements or other arrangements concerning the provision of staff concessionary travel.
- [<sup>F2</sup>(3A) The Welsh Ministers may—
- (a) promote the provision of staff concessionary travel in Wales, and
  - (b) enter into agreements or other arrangements concerning the provision of staff concessionary travel in Wales.]
- (4) Franchise agreements may include conditions with respect to the provision of staff concessionary travel.
- <sup>F3</sup>(5) .....
- (6) The [<sup>F4</sup>The Secretary of State [<sup>F5</sup>, the Scottish Ministers and the Welsh Ministers] may exercise powers and perform duties conferred or imposed on him or them]—
- (a) under or by virtue of subsections (2) to [<sup>F6</sup>(4)] above, or
  - (b) under any agreements or arrangements entered into, or conditions or provisions included, by virtue of those subsections,
- by entering into agreements or arrangements under which other persons (in this subsection referred to as “sub-contractors”) are to perform the function in question;  
<sup>F7</sup> .....
- (7) Without prejudice to the generality of [<sup>F8</sup>subsections (3) and (3A)] above, the agreements or arrangements that may be made under [<sup>F9</sup>those subsections] include agreements or arrangements under which the [<sup>F10</sup>Secretary of State undertakes, or [<sup>F11</sup>the Welsh Ministers or] the Scottish Ministers undertake,] to secure the provision of staff concessionary travel (as well as agreements or arrangements under which some other person undertakes to provide, or to secure the provision of, staff concessionary travel).
- (8) Subsection (7) above applies, with the necessary modifications, in relation to—
- (a) the conditions mentioned in subsection (4) above, <sup>F12</sup> . . .
  - <sup>F12</sup>(b) .....
- as it applies in relation to the agreements and arrangements mentioned in [<sup>F13</sup>subsections (3) and (3A)] above.
- (9) This section is without prejudice to the generality of—
- (a) the conditions which may be included in licences, or
  - (b) the provision which may be made in franchise agreements <sup>F14</sup> . . . ,
- whether or not with respect to free or concessionary travel; and [<sup>F15</sup>subsection (4) above is] without prejudice to the generality of [<sup>F16</sup>subsections (3) and (3A)] above.
- <sup>F3</sup>(10) .....
- <sup>F3</sup>(11) .....
- (12) Any reference in this section to the provision of “staff concessionary travel” is a reference to the provision of free travel, or travel at concessionary rates, for, or for some class or description of, persons, or dependants of persons, who are or have at any time been employed by—
- (a) a person carrying on a business of providing railway services; or

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- (b) a person providing welfare or health care services to persons employed by a person falling within paragraph (a) above.
- (13) In the application of subsection (12) above in relation to any such agreement, arrangements, conditions or provisions as are mentioned in this section, it is immaterial whether or not the provision of free travel, or travel at concessionary rates, mentioned in that subsection extends, in the case of the agreement, arrangements, conditions or provisions in question, only to persons falling within that subsection or to such persons and others; and [<sup>F17</sup>the references in subsections (2) and (3A)] above to promoting the provision of staff concessionary travel shall be construed accordingly.
- (14) Expressions used in this section and in Part I above have the same meaning in this section as they have in that Part.

#### Textual Amendments

- F1** Words in s. 135(2)(3) substituted (24.7.2005 for certain purposes and 16.10.2005 in so far as not already in force) by [Railways Act 2005 \(c. 14\)](#), ss. 1, 60, { [Sch. 1 para. 35\(2\)](#) }; [S.I. 2005/1909](#), [art. 2](#), [Sch.](#); [S.I. 2005/2812](#), [art. 2\(1\)](#), [Sch. 1](#)
- F2** [S. 135\(3A\)](#) inserted (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), [art. 1\(2\)\(b\)\(viii\)](#), [Sch. para. 29\(2\)](#)
- F3** [S. 135\(5\)\(10\)\(11\)](#) repealed (1.2.2001) by [2000 c. 38](#), s. 274, [Sch. 31 Pt. IV](#)
- F4** Words in s. 135(6) substituted (24.7.2005 for certain purposes and 16.10.2005 in so far as it is not already in force) by [Railways Act 2005 \(c. 14\)](#), ss. 1, 60, { [Sch. 1 para. 35\(3\)](#) }; [S.I. 2005/1909](#), [art. 2](#), [Sch.](#); [S.I. 2005/2812](#), [art. 2\(1\)](#), [Sch. 1](#)
- F5** Words in s. 135(6) substituted (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), [art. 1\(2\)\(b\)\(viii\)](#), [Sch. para. 29\(3\)](#)
- F6** Word in s. 135(6)(a) substituted (1.2.2001) by [2000 c. 38](#), s. 252, [Sch. 27 para. 40\(2\)](#); [S.I. 2001/57](#), [art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to savings and transitional provisions in [Sch. 2 Pt. II](#))
- F7** Words in s. 135(6) repealed (1.2.2001) by [2000 c. 38](#), s. 274, [Sch. 31 Pt. IV](#)
- F8** Words in s. 135(7) substituted (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), [art. 1\(2\)\(b\)\(viii\)](#), [Sch. para. 29\(4\)\(a\)](#)
- F9** Words in s. 135(7) substituted (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), [art. 1\(2\)\(b\)\(viii\)](#), [Sch. para. 29\(4\)\(b\)](#)
- F10** Words in s. 135(7) substituted (24.7.2005 for certain purposes and 16.10.2005 in so far as it is not already in force) by [Railways Act 2005 \(c. 14\)](#), ss. 1, 60, { [Sch. 1 para. 35\(4\)](#) }; [S.I. 2005/1909](#), [art. 2](#), [Sch.](#); [S.I. 2005/2812](#), [art. 2\(1\)](#), [Sch. 1](#)
- F11** Words in s. 135(7) inserted (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), [art. 1\(2\)\(b\)\(viii\)](#), [Sch. para. 29\(4\)\(c\)](#)
- F12** [S. 135\(8\)\(b\)](#) and the word “and” immediately preceding it repealed (1.2.2001) by [2000 c. 38](#), s. 274, [Sch. 31 Pt. IV](#); [S.I. 2001/57](#), [art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to savings and transitional provisions in [Sch. 2 Pt. II](#))
- F13** Words in s. 135(8) substituted (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), [art. 1\(2\)\(b\)\(viii\)](#), [Sch. para. 29\(5\)](#)
- F14** Words in s. 135(9)(b) repealed (1.2.2001) by [2000 c. 38](#), s. 274, [Sch. 31 Pt. IV](#); [S.I. 2001/57](#), [art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to savings and transitional provisions in [Sch. 2 Pt. II](#))
- F15** Words in s. 135(9) substituted (1.2.2001) by [2000 c. 38](#), s. 252, [Sch. 27 para. 40\(3\)](#); [S.I. 2001/57](#), [art. 3\(1\)](#), [Sch. 2 Pt. I](#) (subject to savings and transitional provisions in [Sch. 2 Pt. II](#))
- F16** Words in s. 135(9) substituted (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), [art. 1\(2\)\(b\)\(viii\)](#), [Sch. para. 29\(5\)](#)
- F17** Words in s. 135(13) substituted (13.6.2018) by [The Welsh Ministers \(Transfer of Functions\) \(Railways\) Order 2018 \(S.I. 2018/631\)](#), [art. 1\(2\)\(b\)\(viii\)](#), [Sch. para. 29\(6\)](#)

**Changes to legislation:**

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