



Railways Act 1993

1993 CHAPTER 43

PART I

THE PROVISION OF RAILWAY SERVICES

Franchising of passenger services

31 Leases granted in pursuance of franchise agreements: no security of tenure.

(1) In any case where—

- (a) a franchise agreement makes provision for the franchisee, the franchise operator or a wholly owned subsidiary of the franchisee to enter into an agreement (“the contemplated agreement”) with a person who has an interest in a network or a railway facility,
- (b) the network or railway facility is to be used for or in connection with the provision of any of the franchised services, and
- (c) the contemplated agreement creates a tenancy of any property which (whether in whole or in part) constitutes, or is comprised in, the network or railway facility,

neither Part II of the ^{M1}Landlord and Tenant Act 1954 (security of tenure of business premises) nor the ^{M2}Tenancy of Shops (Scotland) Act 1949 (security of tenure of shop premises in Scotland) shall apply to that tenancy.

(2) For the purposes of this section, a person shall be regarded as having an interest in a network or railway facility if he has an estate or interest in, or right over, any of the property which constitutes, or is comprised in, the network or railway facility.

(3) Any reference in this section to a network or a railway facility includes a reference to any part of a network or railway facility.

(4) In this section—

“agreement” includes a lease, underlease or sublease (as well as a tenancy agreement or an agreement for a lease, underlease or sublease);

*Changes to legislation: There are currently no known outstanding effects
for the Railways Act 1993, Section 31. (See end of Document for details)*

“tenancy” has the same meaning as it has in Part II of the ^{M3}Landlord and Tenant Act 1954 or, in Scotland, as it has in the ^{M4}Tenancy of Shops (Scotland) Act 1949.

Marginal Citations

M1 1954 c. 56.

M2 1949 c. 25.

M3 1954 c. 56.

M4 1949 c. 25.

Changes to legislation:

There are currently no known outstanding effects for the Railways Act 1993, Section 31.