



Railways Act 1993

1993 CHAPTER 43

PART II

RE-ORGANISATION OF THE RAILWAYS

New companies, transfer schemes and disposals

- 87** **Transfer to the Secretary of State or the Franchising Director of the Board's function of making transfer schemes.**
- (1) The Secretary of State may by order transfer any functions of the Board under section 85 above to himself or to the Franchising Director.
 - (2) An order under this section may provide for the transfer of the function in question for all purposes or for such purposes as may be specified in the order.
 - (3) Where any function is transferred to the Franchising Director under this section, the Secretary of State may, after consultation with the Franchising Director, direct the Franchising Director to exercise the function by making a scheme for the transfer of an undertaking or part of an undertaking, or any property, rights or liabilities, to a publicly owned railway company, a company wholly owned by the Franchising Director or a franchise company; and, if the Secretary of State gives such a direction, he may also—
 - (a) give the Franchising Director directions with respect to any matter specified in paragraph (a), (b) or (c) of section 85(4) above; or
 - (b) if the transfer is directed to be made to a publicly owned railway company which has not yet been formed, direct the Franchising Director to form, or take part in forming, a company for the purpose.
 - (4) In relation to any function transferred to the Franchising Director under this section, subsection (3) above shall have effect in substitution for subsection (4) of section 85 above and any reference in this Act to a direction under the said subsection (4) shall be construed accordingly.
 - (5) An order under this section may make such modifications of this Part as may be consequential upon, or incidental or supplemental to, the transfer effected by the order.

Changes to legislation: Railways Act 1993, Section 87 is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

- II** S. 87 wholly in force at 1.4.1994; s. 87 not in force at Royal Assent see s. 154(2); s. 87(1) in force for specified purpose and s. 87(2)(5) wholly in force at 6.1.1994 by [S.I. 1993/3237](#), [art. 2\(2\)](#); s. 87 in force at 1.4.1994 insofar as not already in force by [S.I. 1994/571](#), [art. 5](#)

Changes to legislation:

Railways Act 1993, Section 87 is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13B(7) inserted by [2024 c. 13 Sch. 30 para. 18\(5\)](#)
- s. 15C(5) inserted by [2024 c. 13 Sch. 30 para. 19\(5\)](#)
- s. 16(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 6(4)(b) (as substituted) by [S.I. 2019/1245 reg. 23](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 67(11) inserted by [2024 c. 13 Sch. 29 para. 10](#)
- s. 145(3)(w) inserted by [2024 c. 13 Sch. 30 para. 20\(b\)](#)
- s. 145(3)(qu) omitted by [2024 c. 13 Sch. 30 para. 20\(a\)](#)
- Sch. 4A para. 10A(7) inserted by [2024 c. 13 Sch. 30 para. 22\(5\)](#)
- Sch. 4A para. 15(5) inserted by [2024 c. 13 Sch. 30 para. 23\(5\)](#)