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# Transport Act 2000

## 2000 CHAPTER 38

### PART IV

#### RAILWAYS

### CHAPTER I

#### THE STRATEGIC RAIL AUTHORITY

##### *Functions of Franchising Director, Regulator and Board*

#### **215 Assumption of functions of Franchising Director.**

- (1) Schedule 16 transfers to the Authority the functions of the Franchising Director.
- (2) All the property, rights and liabilities of the Franchising Director (including any rights and liabilities relating to staff appointed by him) are by virtue of this section transferred to the Authority.
- (3) Nothing in this Part affects the validity of anything done by or in relation to the Franchising Director.
- (4) There may be continued by or in relation to the Authority anything (including legal proceedings) which is in the process of being done by or in relation to the Franchising Director when his functions, property, rights and liabilities are transferred to the Authority.
- (5) Anything done by the Franchising Director which is in effect immediately before his functions, property, rights or liabilities are transferred to the Authority shall be treated as if done by the Authority.
- (6) The Authority shall be substituted for the Franchising Director in private Acts, instruments made under Acts, other documents and legal proceedings.

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- (7) For the purposes of the <sup>M1</sup>Employment Rights Act 1996, where a person employed in the civil service of the state becomes an employee of the Authority by virtue of this section—
- (a) his period of employment in the civil service of the state counts as a period of employment with the Authority, and
  - (b) the change of employment does not break the continuity of the period of employment.
- (8) In consequence of the preceding provisions of this section the office of Franchising Director is abolished.
- (9) If the Secretary of State determines that there are special circumstances which make it right that the person who is the Franchising Director immediately before the office is abolished should receive compensation, the Secretary of State shall pay to that person such compensation as may be determined by the Secretary of State.

**Commencement Information**

- I1** S. 215 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2 Pt. II**)

**Marginal Citations**

- M1** 1996 c. 18.

**216 Assumption of certain functions of Regulator.**

Schedule 17 makes provision for the transfer to the Authority of certain functions of the Regulator and of associated property, rights and liabilities.

**Commencement Information**

- I2** S. 216 wholly in force at 1.2.2001; s. 216 not in force at Royal Assent see s. 275(1)(2); s. 216 in force (30.1.2001) for certain purposes by S.I. 2001/57, art. 2, **Sch. 1**; s. 216 in force (1.2.2001) in so far as it is not already in force by S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2Pt. II**)

**217 Assumption of Board's functions relating to transport police.**

- (1) Schedule 18 transfers to the Authority the functions of the Board relating to the British Transport Police and associated property, rights and liabilities.
- (2) The Authority shall exercise its functions relating to the British Transport Police Force in such manner and to such extent as appears to the Authority to be best calculated to promote the efficiency and effectiveness of that Force; and section 207 does not apply to those functions.

**Commencement Information**

- I3** S. 217 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to the transitional provision and saving in **Sch. 2 Pt. II**)

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## **218 Functions relating to Board's property.**

- (1) Schedule 19 makes provision for the transfer to the Authority of other property, rights and liabilities of the Board.
- (2) Any property, rights and liabilities which are transferred to the Authority by virtue of Schedule 19 but are not required by the Authority for the discharge of any of its other functions shall be disposed of or otherwise dealt with by the Authority—
  - (a) in accordance with directions given to it by the Secretary of State, and
  - (b) subject to that, in the way which appears to the Authority most economic and efficient.
- (3) For the purposes of subsection (2) (and subject to directions given to it by the Secretary of State), the Authority may (in particular)—
  - (a) retain and manage property,
  - (b) develop land with a view to disposing of it, and
  - (c) acquire land for the purpose of developing it with the land which it adjoins.
- (4) Section 207 does not apply to the functions in subsections (2) and (3).

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