
STATUTORY INSTRUMENTS

2006 No. 2911

**The Railways Act 2005 (Commencement No. 7,
Transitional and Saving Provisions) Order 2006**

Conditions

5.—(1) Where, before 1st December 2006 the Secretary of State has imposed conditions pursuant to section 43(9) of that Act, those conditions shall continue to have effect on and after that date and section 46 of that Act shall continue to have effect in relation to those conditions.

(2) Where the Secretary of State—

- (a) has made a determination under article 4(1) that a closure is a minor closure; and
- (b) has imposed conditions as mentioned in section 37(1), 39(1) or 41(1) of the 1993 Act (as applied by article 4(1)),

the conditions shall have effect despite the repeal of that section and such conditions shall have effect as if agreed to for the purposes of section 34(5) of the 2005 Act.

(3) Where, on or after 1 December 2006, the Secretary of State allows a closure to take effect in accordance with section 43(9) of the 1993 Act subject to compliance with conditions, the conditions shall have effect despite the repeal of that section and section 46 of that Act shall have effect in relation to the conditions.

(4) In paragraph (1), the references to conditions imposed before 1 December 2006 includes a reference to any such conditions which have been varied before that date under section 46 of that Act.

(5) For the purposes of this article, the reference to a Rail Passengers' Committee in section 46 of the 1993 Act shall have effect—

- (a) in relation to the area for which the London Transport Users' Committee fell to be treated as the Rail Passengers' Committee for the purposes set out in section 2(4) of that Act (Rail Passenger' Committees) immediately before the repeal of that section, as a reference to the London Transport Users' Committee;
- (b) in relation to any other area, as a reference to the Rail Passengers' Council established by section 19(1) of the 2005 Act.