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STATUTORY INSTRUMENTS

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**2006 No. 2911**

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

**Orders for securing compliance**

**6.—(1)** Section 55 of the 1993 Act<sup>(1)</sup> shall continue to have effect as it had effect immediately before 1 December 2006 for the purpose of ensuring that—

- (a) a person who is required to comply with closure conditions; or
- (b) a person under closure restrictions,

complies with those closure conditions or closure restrictions as the case may be but subject to the modifications specified in paragraph (2).

(2) The modifications of section 55 of the 1993 Act referred to in paragraph (1) are that—

- (a) in subsection (9), for “section 44 of the Railways Act 2005” there is substituted “article 7 of the Railways Act 2005 (Commencement No. 7, Transitional and Saving Provisions) Order 2006”; and
- (b) in subsection (10), for the definition of “the appropriate authority” there is substituted—  
““the appropriate authority” means the Secretary of State;”.

(3) In this article “a person under closure restrictions” means—

- (a) a person who is under the duty under section 37(1), 39(1) or 41(1) of the 1993 Act not to discontinue a railway passenger service or the operation of the whole or part of a network or not to terminate the use of the whole or part of a station or light maintenance depot, or
- (b) a person who is under the duty under section 48(3) of that Act not to discontinue an experimental passenger service before the expiry of the notice period.

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(1) Section 55 was amended by the Competition Act 1998 (c. 41) Schedule 10, paragraph 15, by the Transport Act 2000 (c. 38) sections 225, 226, 236 and 239, Schedule 16, paragraphs 8 and 35, Schedule 17 Part 1, paragraphs 1 and 11, Part II, paragraphs 17 and 26, Schedule 27, paragraph 17 and 30 and Schedule 31 Part IV, by the Railways and Transport and Safety Act 2003 (c. 20) Schedule 2, Part 1 paragraphs 1 and 3 and by the Railways Act 2005 (c.14) Schedule 1, Part 1, paragraph 21, Schedule 11, paragraphs 1 and 7 and Schedule 13 Part 1.