

Status: Point in time view as at 25/06/2010.

Changes to legislation: Railways Act 1993, Cross Heading: Supplementary powers of the Franchising Director etc. is up to date with all changes known to be in force on or before 17 September 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)



Railways Act 1993

1993 CHAPTER 43

PART I

THE PROVISION OF RAILWAY SERVICES

Supplementary powers of the Franchising Director etc.

F1 51

Textual Amendments

F1 S. 51 repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in **Sch. 2 Pt. II**)

F2 52

Textual Amendments

F2 S. 52 repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in **Sch. 2 Pt. II**)

F3 53

Textual Amendments

F3 S. 53 repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in **Sch. 2 Pt. II**)

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54 Exercise of functions for purpose of encouraging investment in the railways.

- (1) The [^{F4}Secretary of State or the Scottish Ministers]—
- (a) in exercising or deciding whether or not to exercise any of [^{F5}his or] their franchising functions, may take into account the desirability of encouraging railway investment; and
 - (b) may exercise any such functions for the purpose of encouraging railway investment or for purposes which include that purpose.
- [^{F6}(2) The Secretary of State and the Scottish Ministers shall each have power to enter into agreements under which an undertaking is given by him or them—
- (a) to exercise his or their franchising functions;
 - (b) to refrain from exercising them; or
 - (c) to exercise them in a particular manner.]
- (3) In this section—
- “franchising functions”, in relation to the [^{F7}Secretary of State or the Scottish Ministers], means—
- (a) any [^{F8}of the functions of the Secretary of State or of the Scottish Ministers] under sections 17 to 19, 23, 24, 26 to [^{F9}31]^{F10} . . . above;
 - (b) any power conferred on the [^{F7}Secretary of State or the Scottish Ministers] under or by virtue of [^{F11}section 1(2) of the Railways Act 2005] ; and
 - (c) any other functions of the [^{F7}Secretary of State or the Scottish Ministers] which relate to the provision of railway passenger services, or the operation of additional railway assets, under or by virtue of franchise agreements;
- [^{F12}“franchising functions”, in relation to a Passenger Transport Authority or Passenger Transport Executive, means any functions conferred or imposed on the Authority or, as the case may be, the Executive under or by virtue of section 34 above;]
- “railway investment” means investment in assets for use in the provision of railway services.

Textual Amendments

- F4** Words in s. 54(1) substituted (24.7.2005 for certain purposes and 21.11.2005 for certain further purposes and otherwise prosp.) by Railways Act 2005 (c. 14), ss. 54, 60, **Sch. 11 para. 6(1)(a)**; S.I. 2005/1909, {art. 2}, Sch.; S.I. 2005/2812, **art. 2(1)**, Sch. 1
- F5** Words in s. 54(1)(a) inserted (24.7.2005 for certain purposes and 21.11.2005 for certain further purposes and otherwise prosp.) by Railways Act 2005 (c. 14), ss. 54, 60, **Sch. 11 para. 6(1)(b)**; S.I. 2005/1909, {art. 2}, Sch.; S.I. 2005/2812, **art. 2(1)**, Sch. 1
- F6** S. 54(2) substituted (24.7.2005 for certain purposes and 21.11.2005 for certain further purposes and otherwise prosp.) by Railways Act 2005 (c. 14), ss. 54, 60, **Sch. 11 para. 6(2)**; S.I. 2005/1909, {art. 2}, Sch.; S.I. 2005/2812, **art. 2(1)**, Sch. 1
- F7** Words in s. 54(1) substituted (24.7.2005 for certain purposes and 21.11.2005 for certain further purposes and otherwise prosp.) by Railways Act 2005 (c. 14), ss. 54, 60, **Sch. 11 para. 6(3)(a)**; S.I. 2005/1909, {art. 2}, Sch.; S.I. 2005/2812, **art. 2(1)**, Sch. 1
- F8** Words in s. 54(3)(a) substituted (24.7.2005 for certain purposes and 21.11.2005 for certain further purposes and otherwise prosp.) by Railways Act 2005 (c. 14), ss. 54, 60, **Sch. 11 para. 6(3)(b)**; S.I. 2005/1909, {art. 2}, Sch.; S.I. 2005/2812, **art. 2(1)**, Sch. 1

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- F9** Word in s. 54(3)(a) substituted (24.7.2005 for certain purposes and 21.11.2005 for certain further purposes and otherwise prosp.) by Railways Act 2005 (c. 14), ss. 54, 60, **Sch. 11 para. 6(3)(c)**; S.I. 2005/1909, {art. 2}, Sch.; S.I. 2005/2812, **art. 2(1)**, Sch. 1
- F10** S. 54(3): words in definition of “franchising functions” repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in **Sch. 2 Pt. II**)
- F11** Words in s. 54(3)(b) substituted (24.7.2005 for certain purposes and 21.11.2005 for certain further purposes and otherwise prosp.) by Railways Act 2005 (c. 14), ss. 54, 60, **Sch. 11 para. 6(3)(d)**; S.I. 2005/1909, {art. 2}, Sch.; S.I. 2005/2812, **art. 2(1)**, Sch. 1
- F12** S. 54(3): definition omitted (24.7.2005 for certain purposes and 21.11.2005 for certain further purposes and otherwise prosp.) by virtue of Railways Act 2005 (c. 14), ss. 54, 60, **Sch. 11 para. 6(3)**; S.I. 2005/1909 {art. 2}, Sch.; S.I. 2005/2812, **art. 2(1)**, Sch. 1 and said definition repealed (24.7.2005 for E. W. and otherwise prosp.) by Railways Act 2005 (c. 14), ss. 59, 60, **Sch. 13 Pt. 1** (with s. 14(4)(5) **Sch. 11 para. 11(2)**); S.I. 2005/1909, **art. 2**, Sch.

Commencement Information

- II** S. 54 wholly in force at 1.4.1994; s. 54 not in force at Royal Assent see s. 154(2); s. 54(2)(3) in force for specified purposes at 21.3.1994 by S.I. 1994/571, **art. 3**; s. 54 in force at 1.4.1994 insofar as not already in force by S.I. 1994/571, **art. 5**

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