

SCHEDULE 1

Article 3

ENACTMENTS CONFERRING RAIL FUNCTIONS
TRANSFERRED TO THE SCOTTISH MINISTERS

<i>Column 1 Enactment</i>	<i>Column 2 Restrictions and Requirements</i>
The Transport Act 1968 (c. 73)	The rail functions contained in section 10 with the exception of section 10(1)(vi) and 10(1)(via) and only in so far as the function is exercised solely in relation to rail and not to any other services.
Section 10	
Section 20	
The Railways Act 1993 (c. 43)	
Sections 34 and 35	

SCHEDULE 2

Article 4

MODIFICATION OF ENACTMENTS

MODIFICATION OF THE TRANSPORT ACT 1968 (c. 73)

1.—(1) Section 10 of the Transport Act 1968 is modified as follows.

(2) In subsection (1)(vi) for “the Strategic Rail Authority or any wholly-owned subsidiary of the Strategic Rail Authority” substitute “the Scottish Ministers”.

(3) In subsection (1)(via)–

(i) for “Authority” substitute “Scottish Ministers”; and

(ii) after the word “into” insert “, make payments to”.

(4) In subsection (1)(viii) omit “with the approval of the Authority”.

(5) In subsection (1)(ix) omit “(but, in a case falling within sub paragraph (c) of this paragraph, only with the approval of the Authority)”.

(6) After subsection (1) insert–

“(1A) The power to enter into and carry out agreements referred to in subsection (1) (xv) of this section includes the power for the Executive to enter into agreements with the Scottish Ministers in respect of any functions transferred by virtue of the Transfer of Rail Functions To The Scottish Ministers Order 2005”(1).

MODIFICATION OF THE RAILWAYS ACT 1993 (c. 43)

2.—(1) Section 34 of the Railways Act 1993 is modified as follows.

(2) Subsection (11) is omitted.

(3) In subsection (22) after “section-” insert–

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: *The Transfer of Rail Functions To The Scottish Ministers Order 2005 No. 598*

““the passenger transport area” means the Strathclyde Passenger Transport area as designated by the Strathclyde Passenger Transport Area (Designation) Order 1995(2);”.

(2) S.I.1995/1971.