

Status: Point in time view as at 28/01/2016.

Changes to legislation: Railways Act 1993, SCHEDULE 2 is up to date with all changes known to be in force on or before 08 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)

SCHEDULES

SCHEDULE 2

Section 2.

RAIL [^{F1} PASSENGERS] COMMITTEES

Textual Amendments

- F1** Words in cross-heading substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(8)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in **Sch. 2 Pt. II**)

Preliminary

^{F2}1

Textual Amendments

- F2** **Sch. 2 para. 1** repealed (1.2.2001) by 2000 c. 38, ss. 227, 274, **Sch. 22 para. 12(2)**, **Sch. 31 Pt.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**) (which S.I. was amended by S.I. 2001/115)

Remuneration of, and allowances for, [^{F3} members]

Textual Amendments

- F3** Words in the cross-heading substituted (1.2.2001) by 2000 c. 38, s. 229, **Sch. 23 para. 2(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in **Sch. 2 Pt. II**)

2 There shall be paid to the chairman [^{F4} and other members] of [^{F5} a Rail Passengers' Committee] such remuneration, and such travelling and other allowances, as the [^{F6} Authority] may ^{F7} . . . determine.

Textual Amendments

- F4** Words in **Sch. 2 para. 2** inserted (1.2.2001) by 2000 c. 38, s. 229, **Sch. 23 para. 2(1)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in **Sch. 2 Pt. II**)
- F5** Words in **Sch. 2 para. 2** substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(3)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in **Sch. 2 Pt. II**)
- F6** Words in **Sch. 2 para. 2** substituted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 23(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in **Sch. 2 Pt. II**)
- F7** Words in **Sch. 2 para. 2** repealed (1.2.2001) by 2000 c. 38, s. 251(3), 274, **Sch. 31 Pt.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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[^{F8}2A If a person ceases to hold office as chairman or another member of a Rail Passengers’ Committee by reason of the abolition of the Committee before his term of office would otherwise have expired, the Authority may, if it determines that there are special circumstances which make it right that he should receive compensation, pay to him such compensation as may be determined by the Authority.]

Textual Amendments
F8 Sch. 2 para. 2A inserted (1.2.2001) by 2000 c. 38, s. 229, Sch. 23 para. 2(3); S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to savings and transitional provisions in Sch. 2 Pt. II)

Allowances for other members

[^{F9}3

Textual Amendments
F9 Sch. 2 para. 3 repealed (1.2.2001) by 2000 c. 38, ss. 229, 274, Sch. 23 para. 2(4), 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)

Administration etc.

4 The [^{F10}Authority] shall make arrangements for [^{F11}a Rail Passengers’ Committee] to be provided with office accommodation and with such services as he considers appropriate to enable them to carry out their functions.

Textual Amendments
F10 Word in Sch. 2 para. 4 substituted (1.2.2001) by 2000 c. 38, s. 216, Sch. 17 para. 23(2); 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 Sch. 2 para. 4 substituted (1.2.2001) by 2000 c. 38, s. 227, Sch. 22 para. 12(3); S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to savings and transitional provisions in Sch. 2 Pt. II)

Proceedings

- 5 (1) Subject to the following provisions of this paragraph and paragraph 6 below, [^{F12}a Rail Passengers’ Committee] may regulate their own procedure, including quorum.
- (2) [^{F13}A Rail Passengers’ Committee] shall meet when convened by the chairman, and in any case shall meet at least twice a year.
- (3) Without prejudice to the discretion of the chairman to call a meeting whenever he thinks fit, he shall call a meeting when required to do so by any three members of [^{F12}a Rail Passengers’ Committee].
- (4) Minutes shall be kept of the proceedings at every meeting of [^{F12}a Rail Passengers’ Committee]; and copies of those minutes shall be sent to the [^{F14}Rail Passengers’ Council] and the [^{F15}Authority].

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- (5) [^{F13}A Rail Passengers' Committee] shall have regard to any general recommendations which the [^{F14}Rail Passengers' Council] may from time to time make with respect to any matter affecting the procedure or functions of [^{F16}Rail Passengers' Committees].
- (6) The validity of any proceedings of [^{F12}a Rail Passengers' Committee] shall not be affected by any vacancy amongst the members or by any defect in the appointment of a member.

Textual Amendments

- F12** Words in Sch. 2 para. 5 substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(4)(a)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F13** Words in Sch. 2 para. 5(2)(5) substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(4)(b)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F14** Words in Sch. 2 para. 5(4)(5) substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(4)(c)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F15** Words in Sch. 2 para. 5(4) substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 17 para. 23(2)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F16** Words in Sch. 2 para. 5(5) substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(4)(d)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

Admission of public to meetings

- 6 (1) Subject to sub-paragraph (2) below, meetings of [^{F17}a Rail Passengers' Committee] shall be open to the public.
- (2) The public shall be excluded during any item of business where—
- it is likely, were members of the public to be present during that item, that information furnished in confidence to the committee by the [^{F18}the Office of Rail Regulation] or the [^{F19}Authority] would be disclosed in breach of the obligation of confidence;
 - [^{F17}a Rail Passengers' Committee] have resolved that, by reason of the confidential nature of the item or for other special reasons stated in the resolution, it is desirable in the public interest that the public be excluded;
 - it is likely, were members of the public to be present during that item, that there would be disclosed to them—
 - any matter which relates to the affairs of an individual, or
 - any matter which relates specifically to the affairs of a particular body of persons, whether corporate or unincorporate, [^{F20}or
 - the circumstances are such as are specified in, or determined by resolution of a Rail Passengers' Committee in accordance with, an order made by the Secretary of State.]

where public disclosure of that matter would or might, in the opinion of [^{F17}a Rail Passengers' Committee], seriously and prejudicially affect the interests of that individual or body.

- (3) [^{F21}A Rail Passengers' Committee] shall give such notice—

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- (a) of any meeting of [^{F17}a Rail Passengers’ Committee] which is open to the public, and
 - (b) of the business to be taken at that meeting (other than items during which the public is to be excluded),
- as they consider appropriate for the purpose of bringing the meeting to the attention of interested members of the public.

Textual Amendments

- F17** Words in Sch. 2 para. 6(1)(2)(b)(3)(a) substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(5)(a)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F18** Words in Sch. 2 substituted (5.7.2004) by Railways and Transport Safety Act 2003 (c. 20), ss. 16, 120, {Sch. 2 para. 3(a) Table}; S.I. 2004/827, **art. 4(g)**
- F19** Words in Sch. 2 para. 6(2)(a) substituted (1.2.2001) by 2000 c. 38, s. 252, **Sch. 27 para. 46**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F20** Sch. 2 para. 6(2)(d) and the word “or” immediately preceding it inserted (1.2.2001) by 2000 c. 38, s. 229, **Sch. 23 para. 6**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F21** Words in Sch. 2 para. 6(3) substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(5)(b)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

Sub-committees

- 7 (1) [^{F22}A Rail Passengers’ Committee] may, ^{F23} . . . —
- (a) establish local and other sub-committees through which [^{F24}a Rail Passengers’ Committee] may carry out such of their functions as they may determine;
 - (b) appoint such persons (including persons who are not members of [^{F24}a Rail Passengers’ Committee]) to be members of any such sub-committee as they may determine; and
 - (c) regulate the procedure of any such sub-committee.
- (2) Persons appointed under sub-paragraph (1) above who are not members of [^{F24}a Rail Passengers’ Committee] may be reimbursed for their travelling expenses and such of their out-of-pocket expenses as do not relate to loss of remuneration.

Textual Amendments

- F22** Words in Sch. 2 para. 7(1) substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(6)(a)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II); S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F23** Words in Sch. 2 para. 7(1) repealed (1.2.2001) by 2000 c. 38, ss. 229, 274, 275(1), Sch. 23 para. 8, **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)
- F24** Words in Sch. 2 para. 7(1)(a)(b)(2) substituted (1.2.2001) by 2000 c. 38, s. 227, **Sch. 22 para. 12(6)(b)**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

Financial provisions

- 8 (1) There shall be paid by the [^{F25}Authority]—

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- (a) any sums payable to or in respect of any person under paragraph 2^{F26} . . . or 7 above; and
 - (b) any expenses incurred by [^{F27}a Rail Passengers' Committee (provided that the Rail Passengers' Committee complied with their financial duties in incurring them)].
- [^{F28}(2) The Authority may determine the financial duties of Rail Passengers' Committees; and different determinations may be made for different functions of Rail Passengers' Committees.
- (3) The Authority shall give a Rail Passengers' Committee notice of every determination of their financial duties; and such a determination may—
- (a) relate to a period beginning before, on or after the date on which it is made;
 - (b) contain supplementary provisions; and
 - (c) be varied by a subsequent determination.]

Textual Amendments

- F25** Words in Sch. 2 para. 8(1) substituted (1.2.2001) by 2000 c. 38, s. 216, Sch. 17 para. 23(3); S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F26** Word in Sch. 2 para. 8(1)(a) 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)
- F27** Words in Sch. 2 para. 8(1)(b) substituted (1.2.2001) by 2000 c. 38, s. 229, Sch. 23 para. 4(2); S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F28** Sch. 2 para. 8(2)(3) substituted (1.2.2001) by 2000 c. 38, s. 229, Sch. 23 para. 4(3); S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to savings and transitional provisions in Sch. 2 Pt. II)

Amendment of other Acts

^{F29}9

Textual Amendments

- F29** Sch. 2 para. 9 repealed (1.2.2001) by 2000 c. 38, ss. 227, 274, Sch. 22 para. 12(7), 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)

^{F30}10

Textual Amendments

- F30** Sch. 2 para. 10 repealed (1.2.2001) by 2000 c. 38, ss. 227, 274, Sch. 22 para. 12(7), 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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