



# Transport Act 2000

## CHAPTER 38

### TRANSPORT ACT 2000

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##### AIR TRAFFIC

#### CHAPTER I

##### AIR TRAFFIC SERVICES

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270 School crossing patrols.

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271 Stands etc. for bicycles or motor cycles.

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272 Financial assistance for inland waterway and sea freight.

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276 Transitionals and savings.

277 Power to make amendments.

278 Financial provision.

279 Extent.

280 Short title.

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Transport Act 2000  
SCHEDULE 1 — Air traffic administration orders: general  
Part I — MODIFICATIONS OF 1986 ACT

*Introduction*

1 This Part of this Schedule applies if an air traffic...

*General application of provisions of 1986 Act*

2 Sections 11 to 23 and 27 of the 1986 Act...

*General modifications*

3 In those sections as applied by this Part of this...

*Effect of order*

4 In section 11 of the 1986 Act (effect of order)...

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*Appointment of air traffic administrator*

5 In section 13 of the 1986 Act (appointment of administrator)...

*General powers of air traffic administrator*

6 (1) Section 14 of the 1986 Act (general powers of...

*Power to deal with charged property*

7 (1) Section 15 of the 1986 Act (power to deal...

*Duties of air traffic administrator*

8 (1) Section 17 of the 1986 Act (duties of administrator)...

*Discharge of order*

9 (1) Section 18 of the 1986 Act (discharge and variation...

*Notice of making of order*

10 In section 21(2) of the 1986 Act (notice of order...

*Statement of proposals*

11 In section 23 of the 1986 Act (statement of proposals)...

*Applications to court*

12 (1) Section 27 of the 1986 Act (protection of interests...  
Part II — OTHER PROVISIONS

*General adaptations*

13 (1) References in the 1986 Act (except in sections 8...

*Saving*

14 The provisions of this Schedule are without prejudice to the...

*Interpretation*

15 (1) In this Schedule “the 1986 Act” means the Insolvency...

SCHEDULE 2 — Air traffic administration orders: schemes

*Application of Schedule*

1 This Schedule applies if— (a) the court has made an...

*Interpretation*

2 For the purposes of this Schedule— (a) an air traffic...

*Making and modification of schemes*

3 (1) The existing licence company, acting with the consent of...

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*Effect on licence*

- 4 (1) A scheme may provide for a licence held by...

*Property, rights and liabilities*

- 5 A scheme may provide for the transfer of property, rights...  
6 (1) In determining whether and in what manner to exercise...  
7 (1) When a scheme comes into force, it has effect...  
8 (1) A scheme may impose duties on the existing licence...

*Supplementary provisions of schemes*

- 9 (1) A scheme may contain supplementary, consequential and transitional provision...

*Assistance*

- 10 (1) The new licence company, the existing licence company and...

*Effect of air traffic administration order*

- 11 While an air traffic administration order is in force in...

SCHEDULE 3 — Air traffic administration orders: Northern Ireland

- 1 In their application to a licence company formed and registered...  
2 (1) Section 26 is modified as follows.  
3 (1) Section 28 is modified as follows.  
4 In section 29(5) for “the 1986 Act” substitute “the...  
5 (1) Section 30 is modified as follows.  
6 For Schedule 1 substitute— SCHEDULE 1 Air traffic administration orders:...

SCHEDULE 4 — Licence holders: land

- 1 The Civil Aviation Act 1982 shall be amended as follows...  
2 After section 42 (acquisition of land by CAA) insert the...  
3 In section 43(1) (rights over land to bind grantor’s successors)...  
4 (1) Section 44 (power to obtain rights over land) shall...  
5 In section 46(10) (control over land: relevant authorities) after paragraph...  
6 (1) Section 48 (Secretary of State’s powers in respect of...  
7 In section 49 (acquisition of land for purpose related to...  
8 (1) Section 50 (powers of entry) shall be amended as...  
9 In section 51(7)(a) (statutory undertakers) after “the CAA” insert “...  
10 (1) Section 52 (displacements from land) shall be amended as...  
11 (1) Section 53 (planning decisions: compensation) shall be amended as...  
12 In section 54(2) (consecrated land and burial grounds) for “in...  
13 (1) Section 55 (registration of orders, &c.) shall be amended...  
14 In section 105(1) (interpretation) after the definition of “the Lands...  
15 In Schedule 6 (modifications of Schedule 6 to the Local...  
16 (1) Schedule 7 (certain orders under Part II: supplementary) shall...  
17 In Schedule 13 (subordinate instruments), in Part I after the...

SCHEDULE 5 — Licence holders as statutory undertakers

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### *Miscellaneous enactments*

- 1 (1) For the purposes of the provisions mentioned in sub-paragraph...

#### *Public health*

- 2 (1) The provisions mentioned in sub-paragraph (2) apply in relation...

#### *Civil defence*

- 3 (1) For the purposes of the Civil Defence Act 1939—...

#### *Pipe-lines*

- 4 (1) For the purposes of the Pipe-lines Act 1962—

#### *New towns*

- 5 (1) Section 79 of the New Towns Act 1981 (meaning...

#### *Planning*

- 6 (1) Section 262 of the Town and Country Planning Act...  
7 In section 263 of the Town and Country Planning Act...  
8 In section 91(3) of the Planning (Listed Buildings and Conservation...  
9 In section 39(6) of the Planning (Hazardous Substances) Act 1990...  
10 (1) Section 214 of the Town and Country Planning (Scotland)...  
11 In section 215 of the Town and Country Planning (Scotland)...  
12 In section 81(3) of the Planning (Listed Buildings and Conservation...  
13 In section 38(5) of the Planning (Hazardous Substances) (Scotland) Act...

#### *Water and drainage*

- 14 In Schedule 13 to the Water Industry Act 1991 (protection...  
15 In Schedule 22 to the Water Resources Act 1991 (protection...  
16 In Schedule 6 to the Land Drainage Act 1991 (protection...

#### *Development*

- 17 In section 161 of the Leasehold Reform, Housing and Urban...  
18 In section 19 of the Regional Development Agencies Act 1998...

#### *Coal mining subsidence*

- 19 In section 52(1) of the Coal Mining Subsidence Act 1991...

### SCHEDULE 6 — Transfer schemes

#### *Allocation*

- 1 (1) Paragraphs 2 and 3 apply if the following two...  
2 (1) If the nature of the property, right or liability...  
3 (1) If the nature of the property, right or liability...

#### *Identification*

- 4 (1) Paragraphs 5 to 7 apply if—

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- 5 (1) The parties must, so far as practicable, make any...  
6 (1) If the Secretary of State thinks it is unlikely...  
7 (1) This paragraph applies if— (a) an agreement made under...

*Discharge of functions*

- 8 (1) Paragraphs 9 and 10 apply if—  
9 (1) The parties must, so far as practicable, make any...  
10 (1) If the Secretary of State thinks it is unlikely...

*Transfers by agreement*

- 11 (1) If a transfer scheme provides for property, rights or...

*Documents of title*

- 12 (1) This paragraph applies if on a transfer under a...

*Foreign property, rights and liabilities*

- 13 (1) This paragraph applies if a transfer scheme provides for...

*Certificates*

- 14 (1) This paragraph applies if— (a) a transfer scheme provides...

*Restrictions on dealing with land*

- 15 (1) For the purposes of this paragraph a person is...

*Construction of agreements etc*

- 16 (1) This paragraph applies if— (a) a transfer scheme provides...  
17 (1) This paragraph applies if— (a) a transfer scheme provides...

*Proceedings etc*

- 18 (1) This paragraph applies if a transfer scheme provides for...

*Third parties*

- 19 (1) This paragraph applies if— (a) an agreement is made...  
20 (1) For the purposes of this paragraph—  
21 (1) For the purposes of this paragraph—  
22 (1) For the purposes of this paragraph a relevant person...  
23 (1) This paragraph applies if a person falling within sub-paragraph...

*General*

- 24 Paragraphs 11 to 18 and 20 apply whether or not...  
25 (1) Paragraphs 12 to 18 and 20 to 24 have...

SCHEDULE 7 — Transfer schemes: tax

*Interpretation*

- 1 In this Schedule— “the 1988 Act” means the Income and...

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*Chargeable gains: general*

- 2 (1) For the purposes of the 1992 Act a disposal...

*Chargeable gains: securities*

- 3 (1) This paragraph applies if— (a) assets are transferred to...  
4 (1) This paragraph applies if— (a) the Secretary of...

*Chargeable gains: value shifting*

- 5 Nothing in this Chapter and nothing done under it is...

*Chargeable gains: roll-over relief*

- 6 (1) This paragraph applies if— (a) but for section 154...

*Chargeable gains: restriction of losses*

- 7 (1) If there has been a relevant transfer of an...

*Chargeable gains: groups*

- 8 (1) Sub-paragraph (2) applies if a company (the degrouped company)  
—...  
9 (1) Sub-paragraph (3) applies if— (a) a company (the degrouped...  
10 (1) Sub-paragraph (4) applies if— (a) a company ceases by...

*Capital allowances*

- 11 (1) This paragraph applies if— (a) property which is plant...

*Transfers of trading stock*

- 12 (1) This paragraph applies if— (a) under a relevant transfer...

*Trading losses: transfer of trade*

- 13 (1) This paragraph applies if a transfer scheme provides for...

*Trading losses: change in ownership*

- 14 (1) This paragraph applies if under a relevant transfer all...

*Leased assets*

- 15 (1) This paragraph applies for the purposes of section 781...

*Securities*

- 16 (1) This paragraph applies if securities are issued by a...  
17 (1) This paragraph applies if— (a) securities are issued to...

*Stamp duty*

- 18 (1) A relevant transfer is not to give rise to...

*Stamp duty reserve tax*

- 19 An agreement is not to give rise to a charge...



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*Agreements*

20 (1) Sub-paragraph (2) applies if the effect of—

SCHEDULE 8 — Amendments about air traffic  
Part I — LICENCES

*House of Commons Disqualification Act 1975 (c.24)*

1 In the House of Commons Disqualification Act 1975, in Part...

*Northern Ireland Assembly Disqualification Act 1975 (c.25)*

2 In the Northern Ireland Assembly Disqualification Act 1975, in Part...  
Part II — AIR NAVIGATION SERVICES

*Civil Aviation Act 1982 (c.16)*

3 Section 72 of the Civil Aviation Act 1982 (CAA's duty...  
Part III — CHARGES

*Civil Aviation Act 1982 (c.16)*

4 Sections 73 and 74 of the Civil Aviation Act 1982...  
5 In section 86 of the Civil Aviation Act 1982 (mortgaging...  
6 (1) Section 88 of the Civil Aviation Act 1982 (detention...  
7 In section 90 of the Civil Aviation Act 1982 (Convention...  
8 (1) In Schedule 4 to the Civil Aviation Act 1982...  
9 In Schedule 13 to the Civil Aviation Act 1982 (subordinate...

*Airports Act 1986 (c.31)*

10 In section 36 of the Airports Act 1986 (interpretation) in...  
Part IV — COMPETITION

*Fair Trading Act 1973 (c.41)*

11 .....

*Competition Act 1980 (c.21)*

12 .....

*Civil Aviation Act 1982 (c.16)*

13 In section 4 of the Civil Aviation Act 1982 (CAA's...

*Competition Act 1998 (c.41)*

14 (1) Section 54 of the Competition Act 1998 (regulators) shall...

15 .....

16 (1) Schedule 13 to the Competition Act 1998 (transitionals and...  
Part V — HOSTILITIES ETC

*Civil Aviation Act 1982 (c.16)*

17 (1) Section 6 of the Civil Aviation Act 1982 (directions...

18 Sections 62 and 63 of the Civil Aviation Act 1982...

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*Airports Act 1986 (c.31)*

19 (1) Section 30 of the Airports Act 1986 (directions in...

SCHEDULE 9 — Air traffic: information

*Prohibition on disclosure*

1 (1) This Schedule applies to information if—

*Disclosure with consent*

2 Paragraph 1(2) does not apply to a disclosure made with...

*Other permitted disclosures*

3 (1) Paragraph 1(2) does not apply to a disclosure made—...

4 The Secretary of State may by order amend paragraph 3....

*Other exceptions*

5 (1) Paragraph 1(2) does not limit— (a) the information which...

*Offence*

6 A person who discloses information in contravention of this Schedule...

SCHEDULE 10 — Competition test for exercise of bus functions

*Functions to which Schedule applies*

1 (1) The functions to which this Schedule applies are those...

*Competition test*

2 (1) For the purposes of this Schedule the exercise or...

*Applications to OFT for decision*

3 (1) An application may be made to the Office of...

4 (1) If an application is made under paragraph 3 by...

*Investigations by OFT*

5 If at any time the OFT considers that the exercise...

6 (1) For the purposes of an investigation under paragraph 5...

7 (1) If a person refuses or fails to comply with...

8 (1) A person shall not be required under paragraph 6...

9 Before the OFT, as the result of an investigation under...

*Decisions*

10 When the OFT makes a decision— (a) on an application...

11 If the OFT has determined an application under paragraph 3...

*Enforcement of decisions*

12 (1) If the OFT has made a decision that the...

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### *Information*

- 13 (1) No information which— (a) has been obtained by the...
- 14 (1) If information is provided by a person to the...

### *Defamation*

- 15 For the purposes of the law relating to defamation, absolute...

### *Fees*

- 16 (1) The OFT may charge fees in connection with the...

## SCHEDULE 11 — Minor and consequential amendments about local transport

### *Finance Act 1965 (c.25)*

- 1 In section 92(8) of the Finance Act 1965 (grants towards...

### *Transport Act 1968 (c.73)*

- 2 The Transport Act 1968 has effect subject to the following...
- 3 (1) Section 9A (general functions of Passenger Transport Authorities and...
- 4 Omit section 9B (consultation and publicity with respect to policies...

### *Local Government Act 1972 (c.70)*

- 5 In section 97 of the Local Government Act 1972 (exceptions...

### *Road Traffic Regulation Act 1984 (c.27)*

- 6 The Road Traffic Regulation Act 1984 has effect subject to...
- 7 In section 1 (traffic regulation orders), after subsection (3) insert—...
- 8 (1) Paragraph 27 of Schedule 9 (variation and revocation of...

### *Transport Act 1985 (c.67)*

- 9 The Transport Act 1985 has effect subject to the following...
- 10 (1) Section 26(1) (conditions attached to PSV operator's licence) is...
- 11 (1) Section 63 (functions of local councils with respect to...
- 12 (1) Section 64 (consultation and publicity with respect to policies...
- 13 In section 74 (directors of public transport companies), after subsection...
- 14 In section 82 (bus stations: restrictions on discriminatory practices), after...
- 15 In section 93(7) (persons eligible to receive travel concessions under...
- 16 In section 94(4) (definition of eligible service), for the words...
- 17 In section 103(3) (no subsidies for concessions available under a...
- 18 (1) Section 104 (travel concessions on services provided by Passenger...
- 19 In section 105(1) (travel concessions on services provided by local...
- 20 (1) Section 108 (grants for establishment of rural passenger services...
- 21 Omit section 109 (transitional rural bus grants).
- 22 (1) Section 111 (unregistered and unreliable local services: requirement to...

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*Greater London Authority Act 1999 (c.29)*

23 In section 420(8) of the Greater London Authority Act 1999...

SCHEDULE 12 — Road user charging and workplace parking levy: financial provisions

*Introductory*

1 (1) In this Schedule “relevant scheme” means a charging scheme...

*Net proceeds*

2 (1) In this Schedule “net proceeds”, in relation to a...

*Apportionment*

3 (1) A relevant scheme which is— (a) a joint local...

4 References in the following provisions of this Schedule to an...

*Accounts and funds*

5 Regulations made by the appropriate national authority may make provision...

6 (1) An account relating to a relevant scheme which is...

7 (1) At the end of each financial year any deficit...

*Application of proceeds by non-metropolitan local traffic authorities*

8 (1) This paragraph applies to a non-metropolitan local traffic authority’s...

9 (1) Except where paragraph 8 applies, a non-metropolitan local traffic...

10 (1) A relevant scheme made by one or more non-metropolitan...

11 (1) If a relevant scheme made by one or more...

*Application of proceeds by London traffic authorities*

12 (1) The share of the net proceeds of a relevant...

*Application of proceeds by Secretary of State and Assembly*

13 (1) In the case of a trunk road charging scheme—...

SCHEDULE 13 — Amendments of Schedules 23 and 24 to Greater London Authority Act

*Road user charging*

1 Schedule 23 to the Greater London Authority Act 1999 (road...

2 (1) Paragraph 1 (interpretation) is amended as follows.

3 (1) Paragraph 4 (making of charging scheme) is amended as...

4 In sub-paragraph (2) of paragraph 11 (exemptions, reduced rates etc.),...

5 After that paragraph insert— Documents and equipment A charging scheme may require— (a) documents to be displayed...

6 (1) Paragraph 12 (penalty charges) is amended as follows.

7 For paragraph 13 substitute— Charges imposed in respect of any motor vehicle by a...

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- 8 In paragraph 14 (installation of equipment), for the words from...
- 9 (1) Paragraph 15 (accounts and funds) is amended as follows....
- 10 (1) Paragraph 25 (offences) is amended as follows.
- 11 (1) Paragraph 26 (examination of motor vehicles etc.) is amended...
- 12 (1) Paragraph 27 (removal or immobilisation of motor vehicles) shall...
- 13 In paragraph 28 (determination of disputes and appeals), for  
“Regulations...
- 14 In paragraph 29(6) (approval of equipment), for the words after...
- 15 In paragraph 30 (evidence), for “Regulations may” substitute “The...
- 16 In paragraph 34 (guidance), insert at the end—
- 17 After that paragraph insert— Information (1) Information obtained by—  
(a) any Minister of the Crown...
- 18 In paragraph 38 (variation and revocation of charging schemes)—

*Workplace parking levy*

- 19 Schedule 24 to the Greater London Authority Act 1999 (workplace...
- 20 (1) Paragraph 1 (interpretation) is amended as follows.
- 21 In paragraph 3(1) (provision of workplace parking places)—
- 22 (1) Paragraph 7 (making of licensing scheme) is amended as...
- 23 For paragraph 15 substitute— A licence may not be granted for a period  
of...
- 24 Renumber paragraph 16 (licensing: procedure) as sub-paragraph (1) of  
that...
- 25 In paragraph 17(3) and (4) (exemptions, reduced rates etc.), after...
- 26 (1) Paragraph 18 (penalty charges) is amended as follows.
- 27 For paragraph 19 substitute— Charges imposed in respect of any  
premises by a licensing...
- 28 In paragraph 20 (determination of disputes and appeals), for  
“Regulations...
- 29 (1) Paragraph 21 (accounts and funds) is amended as follows....
- 30 In paragraph 31 (rights of entry)— (a) in sub-paragraph (4),...
- 31 In paragraph 32 (evidence), for “Regulations may” substitute “The...
- 32 In paragraph 35 (guidance), insert at the end—
- 33 After that paragraph insert— Information (1) Information obtained by—  
(a) any Minister of the Crown...
- 34 In paragraph 39 (variation and revocation of licensing schemes)—

SCHEDULE 14 — Strategic Rail Authority  
Part I — MEMBERS AND STAFF

*Tenure of members*

1 .....

*Member appointed to chair Authority and deputy*

2 .....

*Remuneration, pensions et cetera etc. for members*

3 .....

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*Staff*

- 4 .....
- 5 .....
- 6 .....

Part II — FUNDING

*Government grants*

- 7 .....

*Borrowing*

- 8 .....

*Terms of government loans*

- 9 .....

*Government guarantees*

- 10 .....

*Accounts and audit*

- 11 .....
- 12 .....

*Direction requiring payment to Secretary of State*

- 13 .....

*Taxation*

- 14 .....

*Interpretation*

- 15 .....

Part III — FINANCIAL FRAMEWORK AND INFORMATION

*Financial framework*

- 16 .....

*Information*

- 17 .....

Part IV — PROCEDURE

*Introductory*

- 18 .....

*Committees and sub-committees*

- 19 .....

*Status: Point in time view as at 26/05/2008.*

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*Delegation of functions*

20 .....

*Members' interests*

21 .....

*Vacancies and defective appointments*

22 .....

*Minutes*

23 .....

*Execution and proof of instruments*

24 .....

Part V — CONSEQUENTIAL AMENDMENTS

*Documentary Evidence Act 1868 (c.37)*

25 .....

*Public Records Act 1958 (c.51)*

26 .....

*Parliamentary Commissioner Act 1967 (c.13)*

27 .....

*House of Commons Disqualification Act 1975 (c.24)*

28 .....

*Northern Ireland Assembly Disqualification Act 1975 (c.25)*

29 .....

*Freedom of Information Act 2000 (c.36)*

30 .....

SCHEDULE 15 — Financial assistance: transfers to SRA

*Transfer schemes*

1 (1) The Secretary of State may make one or more...

*Contents of transfer scheme*

- 2 (1) The property, rights and liabilities which may be transferred...
- 3 A transfer scheme may define the property, rights and liabilities...
- 4 A transfer scheme may also contain provision—
- 5 A transfer scheme may make such supplementary, incidental and consequential...

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*Effect of transfer scheme*

- 6 On the date appointed by a transfer scheme, the property,...
- 7 Nothing in this Schedule affects the validity of anything done...
- 8 There may be continued by or in relation to the...
- 9 Anything done by the Secretary of State for the purpose...
- 10 The Authority shall be substituted for the Secretary of State...

*Transfer of employees*

- 11 (1) This paragraph applies where a person employed in the...

*Modification of transfer scheme*

- 12 (1) If at any time after a transfer scheme has...

*Consultation*

- 13 Before making a transfer scheme, or an order modifying such...

SCHEDULE 16 — Transfer to SRA of Franchising Director's functions

*Transport Act 1968 (c.73)*

- 1 (1) Section 56 of the Transport Act 1968 (Ministerial grants...

*Insolvency Act 1986 (c.45)*

- 2 Sections 11 to 23 and 27 of the Insolvency Act...
- 3 In section 13(3) (appointment of administrator), as it has effect...
- 4 (1) Section 18 (discharge and variation of administration order), as...
- 5 In section 21(1) (notice of order to be given by...
- 6 In section 23 (statement of proposals), as it has effect...
- 7 In section 27 (protection of interests of creditors and members),...

*Railways Act 1993 (c.43)*

- 8 The Railways Act 1993 has effect subject to the following...
- 9 Transfer to of Franchising Director's functions
- 10 Transfer to of Franchising Director's functions
- 11 (1) Section 17 (access agreements: directions requiring facility owners to...
- 12 In section 18 (access agreements: contracts requiring approval of Regulator),...
- 13 (1) Section 19 (access agreements: contracts for use, on behalf...
- 14 (1) Section 23 (passenger services to be subject to franchise...
- 15 Transfer to of Franchising Director's functions
- 16 (1) Section 26 (invitations to tender for franchises) is amended...
- 17 (1) Section 27 (transfer of franchise assets and shares) is...
- 18 (1) Section 28 (fares and approved discount fare schemes) is...
- 19 Transfer to of Franchising Director's functions
- 20 (1) Section 34 (Passenger Transport Authorities and Executives: franchising) is...
- 21 In section 35 (termination and variation of section 20(2) agreements...
- 22 (1) Section 37 (proposals to discontinue non-franchised etc. passenger services)...



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- 23 (1) Section 38 (proposals to discontinue franchised etc. passenger services)...
- 24 (1) Section 39 (notification of proposals to change operational passenger...
- 25 (1) Section 40 (proposals to close passenger networks operated on...
- 26 (1) Section 41 (notification of proposals to close railway facilities...
- 27 (1) Section 42 (proposals to close passenger railway facilities operated...
- 28 (1) Section 43 (closures: notification to, and functions of, Regulator...
- 29 In section 45(2) (closure conditions), for “Franchising Director” (in both...
- 30 In subsections (2) and (4) of section 46 (variation of...
- 31 For section 47 (which transfers to the Franchising Director, so...
- 32 (1) Section 48 (experimental services) is amended as follows.
- 33 In section 50(1) (exclusion of liability for breach of statutory...
- 34 (1) Section 54 (exercise of functions for purpose of encouraging...
- 35 (1) Section 55 (orders for securing compliance) is amended as...
- 36 In section 56 (procedural requirements)— (a) for “officer” (in each...
- 37 In section 57(7) (validity and effect of orders), for “officer”...
- 38 (1) Section 58 (power to require information etc.) is amended...
- 39 Transfer to of Franchising Director’s functions
- 40 Transfer to of Franchising Director’s functions
- 41 Transfer to of Franchising Director’s functions
- 42 In section 69(4) (power of Regulator to provide Franchising Director...
- 43 In subsection (9) of section 72 (keeping of register by...
- 44 Transfer to of Franchising Director’s functions
- 45 (1) Section 75 (annual reports of Franchising Director) is amended...
- 46 In section 76 (general duties of Central Committee), in subsection...
- 47 Transfer to of Franchising Director’s functions
- 48 Transfer to of Franchising Director’s functions
- 49 (1) Section 118 (control of railways in time of hostilities,...
- 50 Transfer to of Franchising Director’s functions
- 51 (1) Section 136 (grants and subsidies) is amended as follows....
- 52 In section 145 (restriction on disclosure of information not to...
- 53 In section 151 (interpretation), in subsection (2) (in both places)...
- 54 (1) Paragraph 2 of Schedule 7 (transfer schemes in connection...

*Railway Heritage Act 1996 (c.42)*

- 55 (1) Section 1 of the Railway Heritage Act 1996 (bodies...

*Channel Tunnel Rail Link Act 1996 (c.61)*

- 56 (1) Section 19 of the Channel Tunnel Rail Link Act...

*Competition Act 1998 (c.41)*

- 57 .....

*Greater London Authority Act 1999 (c.29)*

- 58 The Greater London Authority Act 1999 has effect subject to...
- 59 Transfer to of Franchising Director’s functions
- 60 In section 177 (provision of extra passenger transport services and...
- 61 For section 196 (power of Greater London Authority to give...
- 62 Transfer to of Franchising Director’s functions

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- 63 In section 199(1) (licence exemptions and facility exemptions), for “Franchising...
- 64 Transfer to of Franchising Director’s functions
- 65 In section 203 (closures: copy documents to Mayor of London),...
- 66 (1) Section 235 (disclosure of information) is amended as follows....
- 67 (1) Section 240 (travel concessions on journeys in and around...

SCHEDULE 17 — Transfers to SRA from Rail Regulator  
Part I — FUNCTIONS RELATING TO LICENCES

*Introductory*

- 1 The Railways Act 1993 has effect subject to the following...

*Exemptions*

- 2 (1) Section 7 (exemptions from requirement for operator of railway...

*Consumer protection conditions*

- 3 After section 7 insert— Consumer protection conditions. (1) For the purposes of this Part conditions of a...

*Grant*

- 4 (1) Section 8 (licences) is amended as follows.

*Assignment*

- 5 (1) Section 11 (assignment of licences) is amended as follows....

*Modification*

- 6 (1) Section 12 (modification by agreement) is amended as follows....
- 7 (1) Section 13 (modification references to Competition Commission) is amended...
- 8 (1) Section 14 (reports on modification references) is amended as...
- 9 (1) Section 15 (modification following report) is amended as follows....
- 10 In section 16(3) (Secretary of State to give copies of...

*Enforcement*

- 11 (1) Section 55 (orders for securing compliance) is amended as...
- 12 In section 56 (procedural requirements), after subsection (2) insert—

*Investigation*

- 13 In section 68(1)(a) (investigation by Regulator of contravention of licence...
- 14 After section 71 insert— Other functions of the Authority Investigatory...

*Registers*

- 15 In section 72(2)(a) (matters about licences to be entered in...
- 16 In section 73(2) (matters which Authority is to enter in...

Part II — OTHER FUNCTIONS

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### *Introductory*

17 The Railways Act 1993 has effect subject to the following...

#### *Rail users' consultative committees*

- 18 (1) Section 2 (Rail Users' Consultative Committees) is amended as...
- 19 In section 3(3) (Central Rail Users' Consultative Committee), for "Regulator"...
- 20 (1) Section 76 (general duties of Central Committee) is amended...
- 21 (1) Section 77 (general duties of consultative committees) is amended...
- 22 In section 79(1)(a) (annual report to Regulator by Central Committee...
- 23 (1) Schedule 2 (Rail Users' Consultative Committees) is amended as...
- 24 (1) Schedule 3 (Central Rail Users' Consultative Committee) is amended...

#### *Closures*

- 25 (1) In sections 37(1), 38(2), 39(1), 40(2), 41(1) and 42(2)...
- 26 In section 55(10) (orders for securing compliance), in the definition...
- 27 (1) In section 73(2) (matters which Authority must cause to...

#### *Code for protection of disabled rail users*

- 28 (1) After section 71A insert— Code of practice for protection...

#### *Annual reports*

- 29 (1) In section 75 (annual report of Authority), after subsection...

#### *Penalty fares*

- 30 In section 130 (penalty fares), for "Regulator" (in each place)...
- Part III — ASSOCIATED PROPERTY, RIGHTS AND LIABILITIES

#### *Transfer schemes*

- 31 (1) The Secretary of State may make one or more...

#### *Contents of transfer scheme*

- 32 (1) The property, rights and liabilities which may be transferred...
- 33 A transfer scheme may define the property, rights and liabilities...
- 34 A transfer scheme may contain provision— (a) for the creation,...
- 35 A transfer scheme may make such supplementary, incidental and consequential...

#### *Effect of transfer scheme*

- 36 On the date appointed by a transfer scheme, the property,...
- 37 Nothing in this Part affects the validity of anything done...
- 38 There may be continued by or in relation to the...
- 39 Anything done by the Office of Rail Regulation for the...
- 40 The Authority shall be substituted for the Office of Rail...

#### *Transfer of employees*

- 41 (1) This paragraph applies where a person employed in the...

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*Modification of transfer scheme*

42 (1) If at any time after a transfer scheme has...

*Provision of information to Secretary of State*

43 The Office of Rail Regulation shall provide the Secretary of...

*Consultation*

44 Before making a transfer scheme, or an order modifying such...

SCHEDULE 18 — Transfer to SRA of BR's functions relating to transport police

Part I — FUNCTIONS

*British Transport Commission Act 1949 (c.xxix)*

- 1 British Transport Commission Act 1949 (c.xxix)
- 2 British Transport Commission Act 1949 (c.xxix)
- 3 British Transport Commission Act 1949 (c.xxix)

*British Transport Commission Act 1962 (c.xlii)*

4 (1) Section 43 of the British Transport Commission Act 1962...

*Police and Criminal Evidence Act 1984 (c.60)*

5 In section 6 of the Police and Criminal Evidence Act...

*Channel Tunnel Act 1987 (c. 53)*

6 (1) Section 14 of the Channel Tunnel Act 1987 (arrangements...

*Railways Act 1993 (c.43)*

- 7 Railways Act 1993 (c.43)
- 8 Railways Act 1993 (c.43)
- 9 Railways Act 1993 (c.43)
- 10 Railways Act 1993 (c.43)

Part II — ASSOCIATED PROPERTY, RIGHTS AND LIABILITIES

- 11 Associated property, rights and liabilities
- 12 Associated property, rights and liabilities
- 13 Associated property, rights and liabilities
- 14 Associated property, rights and liabilities
- 15 Associated property, rights and liabilities
- 16 Associated property, rights and liabilities
- 17 Associated property, rights and liabilities

SCHEDULE 19 — Transfer to SRA of BR's property etc

*Transfer schemes*

1 Transfer to of BR's property

*Contents of transfer scheme*

- 2 Transfer to of BR's property
- 3 Transfer to of BR's property

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- 4 Transfer to of BR's property
- 5 Transfer to of BR's property

*Functions under legislation*

- 6 Transfer to of BR's property

*Effect of transfer scheme*

- 7 Transfer to of BR's property
- 8 Transfer to of BR's property
- 9 Transfer to of BR's property
- 10 Transfer to of BR's property
- 11 Transfer to of BR's property

*Transfer of employees*

- 12 Transfer to of BR's property

*Foreign property, rights and liabilities*

- 13 Transfer to of BR's property

*Modification of transfer scheme*

- 14 Transfer to of BR's property

*Provision of information to Secretary of State*

- 15 Transfer to of BR's property

*Consultation*

- 16 Transfer to of BR's property

SCHEDULE 20 — SRA bye-laws

*Introductory*

- 1 bye-laws

*Penalties*

- 2 bye-laws

*Confirmation*

- 3 bye-laws
- 4 bye-laws
- 5 bye-laws
- 6 bye-laws

*Evidence*

- 7 bye-laws

*Varying and revoking*

- 8 bye-laws

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*Stations*

- 9 bye-laws
- 10 bye-laws

SCHEDULE 21 — Transfer schemes by SRA

*Transfers from Authority and its subsidiaries*

- 1 .....

*Transfers of franchise assets*

- 2 .....

*Contents of transfer scheme*

- 3 .....
- 4 .....
- 5 .....
- 6 .....

*Functions under legislation*

- 7 .....

*Effect of transfer scheme*

- 8 .....
- 9 .....
- 10 .....
- 11 .....
- 12 .....

*Transfer of employees*

- 13 .....

*Provision of information to Authority*

- 14 .....

*Modification of transfer scheme*

- 15 .....

*Interpretation*

- 16 .....

SCHEDULE 22 — Renaming of rail users' consultative committees

Part I — AMENDMENTS OF RAILWAYS ACT 1993

- 1 The Railways Act 1993 has effect subject to the following...
- 2 .....
- 3 .....
- 4 .....
- 5 .....
- 6 .....

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- 7 . . . . .
- 8 (1) Section 76 (general duties of Central Committee) is amended...
- 9 . . . . .
- 10 . . . . .
- 11 . . . . .
- 12 . . . . .
- 13 . . . . .
- 14 . . . . .

Part II — AMENDMENTS OF OTHER ENACTMENTS

*Transport Act 1962 (c.46)*

- 15 (1) Section 56 of the Transport Act 1962 (functions of...

*Parliamentary Commissioner Act 1967 (c.13)*

- 16 In Schedule 2 to the Parliamentary Commissioner Act 1967 (which...

*Transport Act 1968 (c.73)*

- 17 In section 55(1) of the Transport Act 1968 (exclusion of...

*Chronically Sick and Disabled Persons Act 1970 (c.44)*

- 18 . . . . .

*House of Commons Disqualification Act 1975 (c.24)*

- 19 In Part III of Schedule 1 to the House of...

*Channel Tunnel Act 1987 (c.53)*

- 20 In section 41(1) of the Channel Tunnel Act 1987 (consultative...

*Greater London Authority Act 1999 (c.29)*

- 21 The Greater London Authority Act 1999 has effect subject to...
- 22 . . . . .
- 23 In section 252 (London Transport Users' Committee as Rail Users'...
- 24 In paragraph 11(3) of Schedule 18 (minutes of London Transport...

SCHEDULE 23 — Finances and procedures of rail users' consultative committees

*Introductory*

- 1 Finances and procedures of rail users' consultative committees

*Remuneration of members*

- 2 (1) In paragraph 2 of Schedule 2 (remuneration of, and...
- 3 (1) In paragraph 2 of Schedule 3 (remuneration of, and...

*Financial duties*

- 4 Finances and procedures of rail users' consultative committees
- 5 Finances and procedures of rail users' consultative committees

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### *Procedures*

- 6 Finances and procedures of rail users' consultative committees
- 7 Finances and procedures of rail users' consultative committees

### *Sub-committees and committees*

- 8 Finances and procedures of rail users' consultative committees
- 9 Finances and procedures of rail users' consultative committees

### *Public records*

- 10 In the First Schedule to the Public Records Act 1958...
- SCHEDULE 24 — Review of access charges by Regulator
- SCHEDULE 25 — Transfer of BR's property etc. to Secretary of State

### *Transfer schemes*

- 1 (1) The Secretary of State may make one or more...

### *Contents of transfer scheme*

- 2 (1) The property, rights and liabilities which may be transferred...
- 3 A transfer scheme may define the property, rights and liabilities...
- 4 A transfer scheme may contain provision— (a) for the creation,...
- 5 A transfer scheme may make such supplementary, incidental and consequential...

### *Functions under legislation*

- 6 (1) A transfer scheme may provide that any functions of...

### *Effect of transfer scheme*

- 7 On the date appointed by a transfer scheme, the property,...
- 8 Nothing in this Act affects the validity of anything done...
- 9 There may be continued by or in relation to the...
- 10 Anything done by the Board for the purpose of or...
- 11 The Secretary of State shall be substituted for the Board...

### *Transfer of employees*

- 12 Where a person employed by the Board becomes employed in...

### *Duties in relation to foreign property*

- 12A (1) Where there is a transfer in accordance with a...

### *Modification of transfer scheme*

- 13 (1) If at any time after a transfer scheme has...

### *Provision of information to Secretary of State*

- 14 The Board shall provide the Secretary of State with all...



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*Consultation*

15 Before making a transfer scheme, or an order modifying such...

SCHEDULE 26 — Transfers: tax

Part I — INTERPRETATION

1 (1) In this Schedule— “the 1988 Act” means the Income...

Part II — TRANSFERS TO SRA FROM FRANCHISING DIRECTOR, SECRETARY  
OF STATE AND OFFICE OF RAIL REGULATION

*Interpretation*

2 In this Part of this Schedule— “relevant transfer” means a...

*Chargeable gains: no gain no loss*

3 For the purposes of the 1992 Act a disposal by...

*Chargeable gains: disposal of debts*

4 (1) Sub-paragraph (2) applies if in the case of a...

*Capital allowances for plant and machinery*

5 (1) This paragraph applies in relation to property if—

*Capital allowances for plant and machinery: connected persons*

6 For the purposes of Part 2 of the Capital Allowances...

*Loan relationships*

7 (1) Sub-paragraph (2) applies if as a result of a...

Part III — TRANSFERS FROM BR TO SRA

*Interpretation*

8 In this Part of this Schedule— “relevant transfer” means a...

*Chargeable gains: general*

9 For the purposes of the 1992 Act a disposal—

*Chargeable gains: restriction of losses*

10 (1) If there has been a disposal of an asset—...

*Chargeable gains: groups*

11 (1) Sub-paragraph (2) applies if a company (“the degrouped company”)

—...

*Chargeable gains: disposal of debts*

12 (1) Sub-paragraph (2) applies if in the case of a...

*Continuity in relation to capital allowances etc. where trade transferred*

13 (1) If, apart from this paragraph— (a) the transferor would...

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*Capital allowances for plant and machinery*

14 (1) This paragraph applies in relation to property if—

*Capital allowances for plant and machinery: connected persons*

15 For the purposes of Part 2 of the Capital Allowances...

*Leased assets*

16 (1) Sub-paragraphs (2) and (3) apply for the purposes of...

*Loan relationships*

17 (1) Sub-paragraph (2) applies if, as a result of a...

*Charge to tax under Case I of Schedule D*

18 (1) This paragraph applies for the purpose of computing the...  
Part IV — TRANSFERS TO SECRETARY OF STATE FROM SRA AND BR

*Interpretation*

19 In this Part of this Schedule— “relevant transfer” means a...

*Chargeable gains: groups*

20 (1) Sub-paragraph (2) applies if a company (“the degrouped company”) —...

*Capital allowances: actual consideration to be the disposal value*

21 (1) Sub-paragraphs (2) to (4) apply for the purposes of...

*Leased assets*

22 (1) Sub-paragraphs (2) and (3) apply for the purposes of...  
Part V — TRANSFERS FROM SRA TO FRANCHISE COMPANY

*Interpretation*

23 In this Part of this Schedule— “relevant transfer” means a...

*Chargeable gains: disposals not to be treated as made at market value*

24 (1) Section 17 of the 1992 Act (disposals and acquisitions...

*Chargeable gains: groups*

25 (1) Sub-paragraph (2) applies if a company (“the degrouped company”) —...

*Chargeable gains: disposal of debts*

26 (1) Sub-paragraph (2) applies if in the case of a...

*Capital allowances: actual consideration to be the disposal value*

27 (1) Sub-paragraphs (2) to (4) apply for the purposes of...

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*Leased assets*

- 28 (1) Sub-paragraphs (2) and (3) apply for the purposes of...

*Loan relationships*

- 29 (1) Sub-paragraph (2) applies if, as a result of a...  
Part VI — TRANSFERS OF FRANCHISE ASSETS

*Interpretation*

- 30 In this Part of this Schedule— “relevant transfer” means a...

*Chargeable gains: disposals not to be treated as made at market value*

- 31 (1) Section 17 of the 1992 Act (disposals and acquisitions...

*Chargeable gains: groups*

- 32 (1) Sub-paragraph (2) applies if a company (“the degrouped company”) —...

*Chargeable gains: disposal of debts*

- 33 (1) Sub-paragraph (2) applies if in the case of a...

*Capital allowances: actual consideration to be the disposal value*

- 34 (1) Sub-paragraphs (2) to (5) apply for the purposes of...

*Loan relationships*

- 35 (1) Paragraph 11 of Schedule 9 to the Finance Act...  
Part VII — OTHER PROVISIONS CONCERNING TRANSFERS

*Chargeable gains: value shifting*

- 36 Nothing in this Part of this Act and nothing done...

*Chargeable gains: consequential amendment*

- 37 In section 35(3)(d) of the 1992 Act (list of provisions...

*Group relief*

- 38 The existence of the powers of the Secretary of State...

*Modifications of transfer schemes*

- 39 (1) Sub-paragraph (2) applies if— (a) the effect of a...

*Stamp duty and stamp duty reserve tax*

- 40 (1) Stamp duty is not to be chargeable on—

SCHEDULE 27 — Minor and consequential amendments about railways

*Transport Act 1962 (c.46)*

- 1 (1) Section 43 of the Transport Act 1962 (charges and...

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*Transport Act 1968 (c.73)*

- 2 Transport Act 1968 (c.73)
- 3 Transport Act 1968 (c.73)
- 4 Transport Act 1968 (c.73)
- 5 Transport Act 1968 (c.73)

*British Railways Act 1969 (c.xliii)*

- 6 In section 22 of the British Railways Act 1969 (misuse...

*House of Commons Disqualification Act 1975 (c.24)*

- 7 In Part III of Schedule 1 to the House of...

*British Railways Act 1977 (c.xvii)*

- 8 (1) Section 13 of the British Railways Act 1977 (fines...

*Transport Act 1980 (c.34)*

- 9 Part III of the Transport Act 1980 (railway pensions) has...
- 10 In section 52A(13) (provisions for final discharge of Secretary of...
- 11 In section 52B(10) (provisions for substitution order not to affect...
- 12 (1) Section 53 (meaning of “relevant pension obligations”) is amended...
- 13 In section 60(1) (interpretation), before the definition of “the Board”...

*Transport Act 1985 (c.67)*

- 14 In section 6(1) of the Transport Act 1985 (registration of...

*Channel Tunnel Act 1987 (c.53)*

- 15 In paragraph 5 of Schedule 6 to the Channel Tunnel...

*Heathrow Express Railway Act 1991 (c.vii)*

- 16 In section 41(1) of the Heathrow Express Railway Act 1991...

*Railways Act 1993 (c.43)*

- 17 The Railways Act 1993 has effect subject to the following...
- 18 In section 7 (licence exemptions), omit subsection (10) (limit on...
- 19 In section 9 (licence conditions), after subsection (3) insert—
- 20 (1) Section 13 (modification references to Competition Commission) is amended...
- 21 In section 17 (directions requiring facility owners to enter into...
- 22 In section 18(9) (access contracts requiring approval of Regulator), after...
- 23 (1) Section 20 (exemption of railway facilities from sections 17...
- 24 (1) Section 27 (transfer of franchise assets and shares) is...
- 25 (1) Section 34 (Passenger Transport Authorities and Executives: franchising) is...
- 26 (1) Section 35 (termination and variation of section 20(2) agreements)...
- 27 In section 45(2)(b) (closure conditions: general), for the words from...
- 28 (1) Section 46 (variation of closure conditions) is amended as...

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- 29 In section 54(3) (exercise of franchising functions for encouraging investment),...
- 30 (1) Section 55 (orders for securing compliance) is amended as...
- 31 In the sidenote for section 56 insert at the end...
- 32 (1) In section 57 (validity and effect of orders) is...
- 33 (1) Section 58 (power to require information) is amended as...
- 34 In section 60(5)(c) (effect of petition for railway administration order),...
- 35 In section 67(6)(b) (references made to the Competition Commission), for...
- 36 (1) Section 72(2) (matters to be entered in register maintained...
- 37 (1) Section 73(2) (matters to be entered in register by...
- 38 In section 80 (furnishing of information to Authority)—
- 39 (1) Section 83 (interpretation) is amended as follows.
- 40 (1) Section 135 (concessionary travel) is amended as follows.
- 41 (1) Section 145 (restrictions on disclosure of information) is amended...
- 42 (1) Section 150(1) (Crown application) is amended as follows.
- 43 In section 151(1) (interpretation), insert at the appropriate place— “...
- 44 (1) Section 154(3) (extent) is amended as follows.
- 45 . . . . .
- 46 In paragraph 6(2)(a) of Schedule 2 (information disclosed in confidence...
- 47 In paragraph 6(2)(a) of Schedule 3 (information disclosed in confidence...
- 48 In paragraph 2 of Schedule 6 (effect of administration order),...
- 49 (1) Schedule 11 (pensions) is amended as follows.

*Finance Act 1994 (c.9)*

- 50 (1) Schedule 24 to the Finance Act 1994 is amended...

*Railway Heritage Act 1996 (c.42)*

- 51 The Railway Heritage Act 1996 has effect subject to the...
- 52 In section 2 (establishment of committee), for “Board” (in each...
- 53 In section 4(6)(b) (notice of proposed disposal), for “Part II...

*Channel Tunnel Rail Link Act 1996 (c.61)*

- 54 The Channel Tunnel Rail Link Act 1996 has effect subject...
- 55 After section 42 insert— Strategic Rail Authority as agent of...
- 56 (1) Paragraph 7 of Schedule 9 (application of offence provisions)...

*Greater London Authority Act 1999 (c.29)*

- 57 The Greater London Authority Act 1999 has effect subject to...
- 58 In section 179(3) (service provided in pursuance of agreement under...
- 59 In section 209(1) (amendments about the Croydon Tramlink), for “(9)”...
- 60 In section 247(2) (consultation with Regulator about appointments to London...
- 61 In section 250(2) (annual report of London Transport Users’ Committee...
- 62 (1) Schedule 18 (London Transport Users’ Committee) is amended as...

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*Railways Act 1993 (Consequential Modifications) (No.2) Order 1999 (S.I.1999/1998)*

63 In article 3(1) of the Railways Act 1993 (Consequential Modifications)...

SCHEDULE 28 — Transitionals and savings about railways

*First appointments to Authority*

1 Transitionals and savings about railways

*Consumer protection conditions*

2 (1) The Secretary of State may make in relation to...

*Franchising*

3 (1) Any services which, immediately before the coming into force...

4 Transitionals and savings about railways

*Bye-laws*

5 (1) The repeal of section 67 of the Transport Act...

*Penalties*

6 Transitionals and savings about railways

7 (1) The fact that no order has been made under...

8 Transitionals and savings about railways

*Compliance orders*

9 Transitionals and savings about railways

*Section 56 of the Transport Act 1962*

10 Where provision is made for subsections (4) to (6) of...

*Review of access charges*

11 (1) This paragraph applies if, before this Act is passed,...

*Closures*

12 Transitionals and savings about railways

13 Transitionals and savings about railways

*Register*

14 Transitionals and savings about railways

*Code for protection of disabled rail users*

15 Transitionals and savings about railways

*Penalty fares*

16 Transitionals and savings about railways

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### *Supplementary*

17 (1) Nothing in this Schedule limits section 276.

SCHEDULE 29 — Driver training and driving instructors: minor and consequential amendments

#### *Introductory*

1 The Road Traffic Act 1988 has effect subject to the...

#### *Consequential amendments about driver training*

- 2 In section 89(6) (vehicles which may be driven by virtue...
- 3 In section 97(1) (grant of licences), for “the following provisions...
- 4 In section 98(2) (effect of full licence), after “below” insert...
- 5 (1) Section 164 (power of constables to require production of...
- 6 In section 194 (index of expressions) insert at the appropriate...

#### *Tests of continued ability and fitness to give driving instruction*

- 7 In section 125(5) (continuing registration conditional on undergoing tests of...
- 8 In section 125B(6)(b) (similar provision in relation to disabled instructors),...
- 9 (1) Section 132 (regulations about examinations and tests) is amended...

#### *Disabled instructors: emergency control assessments*

10 In section 133A (assessments of disabled person’s ability to control...

#### *Review by magistrates’ court of examinations of instructors*

11 (1) Section 133 (review of examinations) is amended as follows....

#### *Respondent in appeals about instructors*

12 In section 131 (appeals against decisions of registrar), insert at...

SCHEDULE 30 — Detention of vehicles used without operator’s licence

SCHEDULE 31 — Repeals and revocations

Part I — AIR TRAFFIC

The repeal of section 3(2) of the Civil Aviation (Eurocontrol)...

Part II — LOCAL TRANSPORT

Part III — ROAD USER CHARGING AND WORKPLACE PARKING LEVY

Part IV — RAILWAYS

Part V — MISCELLANEOUS

**Status:**

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