



Transport Act 2000

2000 CHAPTER 38

PART IV

RAILWAYS

CHAPTER I

THE STRATEGIC RAIL AUTHORITY

Purposes, strategies and exercise of functions

205 Purposes

The purposes of the Authority are—

- (a) to promote the use of the railway network for the carriage of passengers and goods,
- (b) to secure the development of the railway network, and
- (c) to contribute to the development of an integrated system of transport of passengers and goods.

206 Strategies

- (1) The Authority shall formulate, and keep under review, strategies with respect to its purposes.
- (2) The Authority shall consult—
 - (a) the Scottish Ministers,
 - (b) the National Assembly for Wales,
 - (c) the Regulator, and
 - (d) such other persons as the Authority thinks fit,

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before formulating a strategy and from time to time as part of keeping its strategies under review.

- (3) The Secretary of State may give the Authority directions and guidance in relation to its strategies, in particular in relation to—
 - (a) the matters to be covered by them,
 - (b) the issues to be taken into account in formulating them,
 - (c) the strategy to be adopted in relation to any matter, and
 - (d) the updating of them.
- (4) The strategies formulated by the Authority shall include one relating to services in various parts of Great Britain for facilitating the carriage of passengers or goods by rail by way of the Channel Tunnel.
- (5) The Authority shall publish its strategies in such manner as it considers appropriate.

207 Manner of exercise of functions

- (1) The Authority shall exercise its functions with a view to furthering its purposes and shall do so in accordance with any such strategies as it has formulated with respect to them (except when exercising the function of reviewing those strategies).
- (2) In exercising its functions in accordance with subsection (1) the Authority shall act in the way best calculated—
 - (a) to protect the interests of users of railway services,
 - (b) to contribute to the achievement of sustainable development,
 - (c) to promote efficiency and economy on the part of persons providing railway services,
 - (d) to promote measures designed to facilitate the making by passengers of journeys which involve the use of the services of more than one passenger service operator (including, in particular, arrangements for the issue and use of through tickets),
 - (e) to impose on the operators of railway services the minimum restrictions which are consistent with the performance of the Authority's functions, and
 - (f) to enable persons providing railway services to plan the future of their businesses with a reasonable degree of assurance.
- (3) In exercising its functions in accordance with subsections (1) and (2) the Authority shall have regard to—
 - (a) the need to protect all persons from dangers arising from the operation of railways (including, in particular, by taking into account any advice given by the Health and Safety Executive),
 - (b) the interests of persons who are disabled, and
 - (c) the effect on the environment of activities connected with the provision of railway services.
- (4) The Authority shall secure that any grants or other payments or loans made by it, any guarantees given by it and any investment in bodies corporate by it are such as it reasonably considers will further its purposes (in accordance with any strategies which it has formulated) efficiently and economically.
- (5) Subject to subsection (4), the Secretary of State may give the Authority—

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- (a) directions and guidance as to the manner in which it is to exercise any of its functions in order to comply with subsections (1) to (3), and
- (b) directions not to exercise any of its functions in a particular manner (or not to do so without consulting, or obtaining the consent of, the Secretary of State).

208 Directions, guidance and advice by Scottish Ministers

- (1) The Scottish Ministers may give the Authority—
 - (a) directions and guidance in relation to services for the carriage of passengers by rail which start and end in Scotland and are provided under a franchise agreement,
 - (b) directions and guidance in relation to services for the carriage of passengers by rail which either start or end in Scotland, include sleeping facilities and are provided under a franchise agreement by a person who also provides services within paragraph (a), and
 - (c) advice in relation to services for the carriage of passengers by rail which either start or end in Scotland and are provided under a franchise agreement (other than services within paragraph (b)).
- (2) The Authority shall not comply with any direction or have regard to any guidance given under subsection (1) to the extent that to do so would be inconsistent with any direction or guidance given under section 206(3) or 207(5) or with the Authority's financial framework.
- (3) The Authority need not comply with any direction or have regard to any guidance given under paragraph (b) of subsection (1) to the extent that to do so—
 - (a) would require the expenditure by the Authority of any money not provided to it out of the Scottish Consolidated Fund, or
 - (b) would adversely affect any railway services other than those mentioned in that subsection.

209 Directions, guidance and advice: supplementary

- (1) Any direction or guidance to the Authority under this Act, or any advice given under section 208(1)(c), shall be published by the person by whom it is given in such manner as he considers appropriate.
- (2) The Authority shall comply with any direction given to it under this Act (but subject to section 208(2) and (3)).
- (3) In exercising its functions the Authority shall have regard to any guidance given to it under this Act (but subject to section 208(2) and (3)).
- (4) The Authority—
 - (a) shall take note of any advice given under section 208(1)(c), and
 - (b) in exercising its functions, may have regard to that advice (but subject to subsections (2) and (3)).
- (5) Any power to give a direction or guidance to the Authority under this Act includes power to vary or revoke the direction or guidance.

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210 Validity of transactions

- (1) A transaction entered into by the Authority is not invalidated merely by reason of a contravention by the Authority of a requirement imposed by section 207(1), (2), (3) or (4) or 209(2), (3) or (4)(a).
- (2) Subsection (1) applies whether or not any person who entered into the transaction with the Authority enquired whether the Authority was acting in contravention of such a requirement.