

Status: Point in time view as at 29/01/2007.

Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, Paragraph 1. (See end of Document for details)

SCHEDULES

SCHEDULE 9

BYE-LAWS BY RAILWAY OPERATORS

Introductory

- 1 (1) In this Schedule—
- “appropriate national authority”, in relation to any bye-laws, means—
- (a) where the relevant assets by reference to which the bye-laws are or were made are all Scottish assets, the Scottish Ministers;
 - (b) where some but not all of those assets are Scottish assets or include assets that are used partly in Scotland and partly elsewhere, the Secretary of State and the Scottish Ministers; and
 - (c) in any other case, the Secretary of State;
- “bye-laws” means bye-laws under section 46; and
- “railway operator” has the same meaning as in that section.
- (2) In sub-paragraph (1) “Scottish asset” means—
- (a) an asset that is permanently situated in Scotland; or
 - (b) an asset that is used only in Scotland.
- (3) In the case of bye-laws in relation to which both the Secretary of State and the Scottish Ministers are the appropriate national authority —
- (a) anything that must be done under this Schedule in relation to those bye-laws by the appropriate national authority must be done by them both, acting jointly;
 - (b) anything that may be done under this Schedule in relation to those bye-laws by the appropriate national authority may be done only by them both, acting jointly; and
 - (c) any requirement of this Schedule in relation to those bye-laws to send something to the appropriate national authority is complied with only if that thing is sent both to the Secretary of State and to the Scottish Ministers.

Commencement Information

- I1** Sch. 9 para. 1 in force at 24.7.2005 for specified purposes by S.I. 2005/1909, art. 2, Sch.
- I2** Sch. 9 para. 1 in force at 16.10.2005 in so far as not already in force by S.I. 2005/2812, art. 2(1), Sch. 1

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