



Railways Act 2005

2005 CHAPTER 14

PART 2

PUBLIC SECTOR FUNDING AUTHORITIES FOR RAILWAYS

Passenger Transport Executives

13 Railway functions of Passenger Transport Executives

- (1) Before—
- (a) issuing an invitation to tender for a franchise agreement in a case in which the services to be provided under the agreement are or include services in which a Passenger Transport Executive for an area in England have an interest, or
 - (b) entering into a franchise agreement in respect of such services in a case in which no such invitation has been issued,
- the Secretary of State must consult the Executive for that area.
- (2) For the purposes of subsection (1) the services in which a Passenger Transport Executive have an interest are—
- (a) services for the carriage of passengers by railway within the [^{F1}integrated transport area] of that Executive; and
 - (b) services which are not such services but are services for the carriage of passengers by railway to or from such an area.
- (3) A Passenger Transport Executive for [^{F2}an integrated transport area] in England and the Secretary of State may enter into arrangements under which one or both of the following occurs—
- (a) sums become due from the Executive to the Secretary of State in respect of services for the carriage of passengers by railway within that area or in respect of station services or bus substitution services provided within that area; and
 - (b) the Secretary of State undertakes to exercise or perform his powers and duties in relation to or in connection with such services in a particular way.

Status: Point in time view as at 01/10/2015. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, Section 13. (See end of Document for details)

- (4) A Passenger Transport Executive for [^{F3}an integrated transport area] in England may enter into agreements for purposes relating to or connected with the provision, by a person who is a franchisee or franchise operator in relation to a franchise agreement, of—
- (a) services for the carriage of passengers by railway within that area; and
 - (b) station services provided for purposes connected with any such services.
- (5) A Passenger Transport Executive for [^{F4}an integrated transport area] in England may not enter into an agreement (whether by virtue of subsection (4) or otherwise)—
- (a) with a person who is a franchisee or franchise operator in relation to a franchise agreement, or
 - (b) with a person who is proposing to become such a franchisee or franchise operator,
- unless the agreement is approved by the Secretary of State.
- (6) The Secretary of State may—
- (a) give a general approval for the purposes of subsection (5) in relation to a description of agreements, as well as specific approvals for particular agreements; and
 - (b) withdraw his approval in relation to any agreement at any time before the agreement is entered into.
- (7) The agreements to which a Passenger Transport Executive for [^{F5}an integrated transport area] in England may become a party with the approval of the Secretary of State include franchise agreements under which services are provided which are or include services for the carriage of passengers by railway within that area.
- (8) The Secretary of State and the Passenger Transport Executive for [^{F6}an integrated transport area] in England must each provide to the other any information which—
- (a) the other reasonably requires for purposes connected with his or their functions in relation to railways or railway services; and
 - (b) is information which it would have been lawful for him or (as the case may be) them to disclose apart from this subsection.
- (9) In this section—
- (a) a reference to a service for the carriage of passengers by railway within [^{F7}an integrated transport area] is a reference to a service for the carriage of passengers by railway between places in that area or between places in that area and places outside it which are within the permitted distance;
 - (b) a reference to station services provided within such an area is a reference to station services provided in connection with any such service for the carriage of passengers by railway; and
 - (c) a reference to a bus substitution service provided within such an area is a reference to a bus substitution service for the carriage of passengers between places in that area or between places in that area and places outside it which are within the permitted distance;
- and in this subsection “the permitted distance” [^{F8}, in relation to an integrated transport area, means the distance of 25 miles from the nearest point on the boundary of that area.]

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Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, Section 13. (See end of Document for details)

Textual Amendments

- F1** Words in s. 13(2) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), **Sch. 4 para. 66(2)(a)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F2** Words in s. 13(3) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), **Sch. 4 para. 66(2)(b)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F3** Words in s. 13(4) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), **Sch. 4 para. 66(2)(b)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F4** Words in s. 13(5) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), **Sch. 4 para. 66(2)(b)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F5** Words in s. 13(7) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), **Sch. 4 para. 66(2)(b)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F6** Words in s. 13(8) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), **Sch. 4 para. 66(2)(b)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F7** Words in s. 13(9) substituted (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), **Sch. 4 para. 66(2)(b)**; S.I. 2009/107, art. 2(1), Sch. 1 Pt. 1
- F8** Words in s. 13(9) substituted (26.3.2015 for specified purposes, 1.10.2015 in so far as not already in force) by [Deregulation Act 2015 \(c. 20\)](#), s. 115(2)(e), **Sch. 8 para. 7**; S.I. 2015/994, art. 11(o)

Commencement Information

- I1** S. 13 in force at 24.7.2005 by S.I. 2005/1909, art. 2, **Sch.**

Status:

Point in time view as at 01/10/2015. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Railways Act 2005, Section 13.