



Railways Act 2005

2005 CHAPTER 14

PART 4 **E+W+S**

NETWORK MODIFICATIONS ETC.

Supplemental provisions of Part

41 Proposals by funding authorities **E+W+S**

- (1) A railway funding authority may make a proposal—
 - (a) for the discontinuance of a railway passenger service,
 - (b) for the discontinuance of the operation of a network or part of a network, or
 - (c) for the discontinuance of the operation of a station or part of a station,if, and only if, the requirements of subsection (3), (4) or (5) are satisfied.
- (2) The requirements of subsection (3) apply to the making of such a proposal by a railway funding authority other than a Passenger Transport Executive, the Mayor of London or Transport for London.
- (3) The requirements of this subsection are—
 - (a) that the proposal is made in association with another proposal by the authority;
 - (b) that the other proposal relates to any agreement or other arrangements to which the authority is a party and which relate to the provision of financial assistance in connection with the service or the operation or use of the network or station; and
 - (c) that it appears to the authority that the other proposal would have an effect which is reasonably likely to create or contribute to a need for the service to be discontinued or the operation or use of the network or station to be discontinued.
- (4) The requirements of this subsection apply in relation to the making of a proposal by a Passenger Transport Executive and are—

Status: Point in time view as at 13/06/2018.

Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, Section 41. (See end of Document for details)

- (a) that no funding in relation to a service or, as the case may be, network or station, or part of a network or station, to which the proposal relates is provided by a railway funding authority other than the Passenger Transport Executive; or
 - (b) that—
 - (i) every service to which the proposal relates operates entirely within their area; and
 - (ii) every network or station, or part of a network or station, to which the proposal relates is wholly in their area.
- (5) The requirements of this subsection apply in relation to the making of a proposal by the Mayor of London or Transport for London and are—
- (a) that no funding in relation to a service or (as the case may be) network or station, or part of a network or station, to which the proposal relates is provided by a railway funding authority other than the Mayor of London or Transport for London; or
 - (b) that—
 - (i) every service to which the proposal relates operates entirely within Greater London; and
 - (ii) every network or station, or part of a network or station, to which the proposal relates is wholly in Greater London.
- (6) The arrangements referred to in subsection (3)(b) include arrangements between the railway funding authority in question and another such authority.
- (7) For the purposes of subsections (4) and (5) a service operates entirely within an area if it starts and ends in that area and does not make any other scheduled calls outside that area.

Commencement Information

II S. 41 in force at 1.12.2006 by S.I. 2006/2911, art. 2, Sch.

Status:

Point in time view as at 13/06/2018.

Changes to legislation:

There are currently no known outstanding effects for the Railways Act 2005, Section 41.