



Railways Act 2005

2005 CHAPTER 14

PART 2

PUBLIC SECTOR FUNDING AUTHORITIES FOR RAILWAYS

Assisting and securing the provision of services

6 Financial assistance etc. from the Secretary of State

- (1) The Secretary of State may provide, or agree to provide, financial assistance to any person—
 - (a) for the purpose of securing the provision, improvement or development of railway services or railway assets; or
 - (b) for any other purpose relating to a railway or to railway services.
- (2) For the purposes of this section the provision of financial assistance includes each of the following—
 - (a) the making of grants or loans;
 - (b) the giving of guarantees; and
 - (c) investments in bodies corporate.
- (3) Agreements or other arrangements entered into by the Secretary of State under this section may be entered into on whatever terms, and subject to whatever conditions, he considers appropriate.
- (4) In exercising his powers under this section—
 - (a) for any purpose mentioned in section 9(1) in relation to which powers are exercisable by the Scottish Ministers under section 8, or
 - (b) for any purpose mentioned in section 11(1) in relation to which powers are exercisable by the National Assembly for Wales under section 10,the Secretary of State must have regard to the desirability of acting consistently with anything notified to him under section 9 or 11.

Status: This is the original version (as it was originally enacted).

- (5) A power of the Secretary of State under this section or otherwise to enter into agreements or other arrangements (other than franchise agreements) for a purpose set out in subsection (1) may be exercised by his entering into an agreement or other arrangement with a relevant person in respect of services provided under a franchise agreement only where the agreement or arrangement is entered into in accordance with that franchise agreement.
- (6) For the purposes of subsection (5) a person is a relevant person in relation to a franchise agreement if he is—
- (a) the franchise operator;
 - (b) the franchisee; or
 - (c) an employee, agent or independent contractor of the franchise operator or of the franchisee.
- (7) In this section “railway” has its wider meaning.
- (8) Paragraph (a) of subsection (1) of section 17 of the Ministry of Transport Act 1919 (c. 50) (grants or loans for the construction, improvement or maintenance of railways, light railways or tramways) shall cease to have effect.