
STATUTORY INSTRUMENTS

1994 No. 573

TRANSPORT

**The Railways (London Regional
Transport) (Exemptions) Order 1994**

<i>Made</i>	- - - -	<i>7th March 1994</i>
<i>Laid before Parliament</i>		<i>8th March 1994</i>
<i>Coming into force</i>		
<i>Articles 1 to 3, 5 and 6</i>		<i>1st April 1994</i>
<i>Article 4</i>		<i>2nd April 1994</i>

The Secretary of State, in exercise of the powers conferred on him by sections 7(1), (2) and (10), 20(1), (2), (9) and (12), 24(1), (2) and (11), 49(2), (4) and (5), 143(4) and 151(5) of the Railways Act 1993⁽¹⁾ and of all other powers enabling him in that behalf, and after consultation with the Rail Regulator in accordance with the said sections 7(1) and 20(1) in respect of articles 1 to 4, hereby makes the following Order:

Citation and commencement.

1.—(1) This Order may be cited as the Railways (London Regional Transport) (Exemptions) Order 1994.

(2) Articles 1 to 3, 5 and 6 of this Order shall come into force on 1st April 1994 and article 4 of this Order shall come into force on 2nd April 1994.

Interpretation

2. In this Order—

“the Act” means the Railways Act 1993; and

“LRT company” means London Regional Transport or any subsidiary of theirs.

(1) 1993 c. 43. Sections 6(1) (referred to in section 7(10)) and 23(1) (referred to in section 24(11)) come into force on 1st April 1994. Sections 17 and 18 (referred to in section 20(9)) come into force on 2nd April 1994.

Licence exemption

3. Exemption is granted to every LRT company from the requirement to be authorised by licence to be the operator of—

- (a) any network on which, or any station from which, no regular scheduled railway passenger services are provided other than by an LRT company;
- (b) any light maintenance depot which is not used in connection with the provision, other than by an LRT company, of railway passenger services;
- (c) any train—
 - (i) being used on any such network as is mentioned in paragraph (a) above for any purpose comprised in the operation of that network, or for a purpose preparatory or incidental to, or consequential on, any such use;
 - (ii) being used on a network for a purpose preparatory or incidental to, or consequential on, the provision of light maintenance services at any such light maintenance depot as is mentioned in paragraph (b) above.

Facility exemption

4. Exemption from sections 17 and 18 of the Act (access to railway facilities) is granted to every LRT company in respect of—

- (a) track comprised in every such network as is mentioned in article 3(a) above;
- (b) every such station as is mentioned in article 3(a) above;
- (c) every such light maintenance depot as is mentioned in article 3(b) above; and
- (d) any part of a station (other than a station such as is mentioned in article 3(a) above), which part is not used in connection with the provision, other than by an LRT company, of regular scheduled railway passenger services;

by reference to which the company in question is a facility owner.

Franchise exemption

5. Exemption from designation under section 23(1) of the Act (designation of passenger services as eligible for franchising) is granted to every LRT company in respect of every railway passenger service provided by the company in question. Disapplication of closure provisions.

6.—(1) Every railway passenger service provided by an LRT company is a service in relation to which section 37 of the Act (closure of non-franchised etc. passenger services) is not to have effect.

(2) Every network of which an LRT company is the operator is a network in relation to which section 39 of the Act (closure of operational passenger networks) is not to have effect.

(3) Every station or light maintenance depot of which an LRT company is the operator is a station or (as the case may be) a light maintenance depot in relation to which section 41 of the Act (closure of railway facilities used in connection with passenger services) is not to have effect.

Signed by authority of the Secretary of State for Transport

Department of Transport
7th March 1994

Roger Freeman
Minister of State,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the grant of exemptions from the licensing, access, franchising and closure provisions of the Railways Act 1993 (“the Act”) to London Regional Transport and their subsidiaries.

Article 3 exempts every LRT company (i. e. London Regional Transport and each of their subsidiaries) from the requirement to hold a licence to be the operator of—

- (a) any network, station or light maintenance depot which is used solely in connection with services provided by an LRT company;
- (b) any train being used for purposes associated with the operation of any such network, or the provision of light maintenance services at any such depot.

Article 4 grants an exemption from sections 17 and 18 of the Act (access to railway facilities) to every LRT company in respect of track comprised in the network referred to in article 3, together with the stations and light maintenance depots mentioned in that article. In addition the facility exemption applies to parts of LRT stations which are used solely in connection with services provided by an LRT company.

Article 5 provides that services provided by any LRT company are to be exempt from section 23(1) of the Act (designation of passenger services as eligible for franchising).

Article 6 provides that the closure provisions in Part I of the Act are not to apply to services provided by, or networks, stations or light maintenance depots operated by, any LRT company.