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STATUTORY INSTRUMENTS

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**2002 No. 1946**

**TRANSPORT**

**The Merseyrail Electrics Network Order 2002**

<i>Made</i>	- - - -	<i>18th July 2002</i>
<i>Laid before Parliament</i>		<i>24th July 2002</i>
<i>Coming into force</i>	- -	<i>20th July 2003</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 24(1), (2) and (12), 49(2) to (5), and 151(5) of the Railways Act 1993(1), and following the consultation required by section 24(3) to (5) of that Act, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Merseyrail Electrics Network Order 2002 and shall come into force on 20th July 2003.

**Interpretation**

2. In this Order—

“the 1993 Act” means the Railways Act 1993;

“the Merseyrail Electrics network” means the network incorporating railway lines which run exclusively along the routes specified in the Schedule and which is used for the support, guidance and operation of trains serving exclusively those routes;

“network maintenance depot” means a light maintenance depot which is used for the provision of light maintenance services which relate principally to locomotives and other rolling stock used exclusively in connection with railway passenger services provided on the Merseyrail Electrics network; and

“network station” means a station at which the only regular railway passenger services which are provided operate exclusively on the Merseyrail Electrics network.

**Franchise Exemption**

3. Exemption from designation under section 23(1) of the 1993 Act (designation of passenger services as being subject to franchising) is hereby granted to persons providing railway passenger

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(1) 1993 c. 43; section 24(3) was amended by the Transport Act 2000 (c. 38), section 215 and Schedule 16 (paragraphs 8, 15 and 47).

services on the Merseyrail Electrics network in respect of every railway passenger service provided exclusively on that network.

**Disapplication of closure provisions**

4.—(1) Every railway passenger service which operates exclusively on the Merseyrail Electrics network is hereby designated as a service in relation to which section 37 of the 1993 Act (discontinuance of non-franchised etc. passenger services) is not to have effect.

(2) The Merseyrail Electrics network is hereby designated as a network in relation to which section 39 of the 1993 Act (closure of operational passenger networks) is not to have effect.

(3) Every network station and every network maintenance depot is hereby designated as a station or light maintenance depot in relation to which section 41 of the 1993 Act (closure of railway facilities used in connection with passenger services) is not to have effect.

**Application of alternative closure provisions**

5. Every railway passenger service which operates exclusively on the Merseyrail Electrics network is hereby designated as a service in relation to which Schedule 5 to the 1993 Act (alternative closure procedure) is to have effect.

Signed by authority of the Secretary of State for Transport

18th July 2002

*John Spellar*  
Minister of State,  
Department for Transport

## SCHEDULE

### Specified Routes

Liverpool Central—Hunts Cross

Liverpool Central—Southport

Liverpool Central—Kirkby

Liverpool Central—Ormskirk

Liverpool Loop—New Brighton/West Kirkby via James Street, Moorfields, Lime Street and Central underground stations

Liverpool Loop—Chester/Ellesmere Port

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order relates to the Merseyrail Electrics railway network (“the network”).

*Article 3* exempts railway passenger services provided exclusively on the network from the requirement in section 23 of the Railways Act 1993 to be subject to franchise agreements; and article 4 disapplies, in relation to the network, the following sections of that Act—

section 37 which regulates the discontinuance of non-franchised and other railway passenger services;

section 39 which regulates the closure of operational passenger networks; and

section 41 which regulates the closure of stations and light maintenance depots used in connection with railway passenger services.

*Article 5* applies to the network the provisions of Schedule 5 to the 1993 Act, which establishes an alternative procedure for regulating the discontinuance of railway passenger services.