

2011 No. 2213

TRANSPORT

RAILWAYS

The Railway Byelaws Amendment Order 2011

Made - - - - *6th September 2011*

Coming into force in accordance with article 1

The Secretary of State for Transport, in exercise of the powers conferred by section 46(5) of the Railways Act 2005(a), makes the following Order.

Citation and commencement

1. This Order may be cited as the Railway Byelaws Amendment Order 2011 and comes into force 29 days after the day on which it is made.

Amendment of the Railway Byelaws

2.—(1) The Railway Byelaws made under section 219 of the Transport Act 2000(b) by the Strategic Rail Authority(c) are amended as follows.

(2) In Byelaw 25(1) (Interpretation)—

(a) at the end of the definition of “railway”, insert “but does not include any railway asset of Transport for London or any of its subsidiaries and any train or other vehicle and any associated equipment which is for the time being used by a person for the purposes of providing railway services under an agreement with Transport for London or any of its subsidiaries.”; and

(b) after the definition of “standard scale”, insert ““Subsidiary” has the same meaning as in section 1159 of the Companies Act 2006(d).”

(3) In Schedule 2 to the Railway Byelaws, omit the words “London Underground Limited” and “Tube Lines Limited”.

(a) 2005 c.14.

(b) 2000 c.38. Section 219 of the Transport Act 2000 (the “2000 Act”) was repealed by Schedule 1, paragraph 36(c) and Schedule 13, part 1 to the Railways Act 2005 (the “2005 Act”) and Schedule 20 to the 2000 Act was repealed by Schedule 13, part 1 to the 2005 Act.

(c) The Strategic Rail Authority was established by section 201 of the 2000 Act and was abolished under section 1 of the 2005 Act.

(d) 2006 c.46.

Signed by authority of the Secretary of State for Transport

6th September 2011

Norman Baker
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the national Railway Byelaws made by the Strategic Rail Authority in 2005.

Article 2(2)(a) excludes the railway assets of Transport for London or its subsidiaries and any trains, other vehicles and associated equipment used by a person under an agreement with Transport for London or any of its subsidiaries from the scope of the national Railway Byelaws. Article 2(2)(b) inserts a definition of “subsidiary” into the Railway Byelaws.

Article 2(3) amends Schedule 2 by removing London Underground Limited and Tube Lines Limited, which are subsidiaries of Transport for London, from the list of operators excluded from the definition of “operator” in Byelaw 25(1), as they are excluded by virtue of the amendment in article 2(2).

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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