

Railways Bill

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TO

Require the Secretary of State to assume control of passenger rail franchises when they come up for renewal; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Assumption of control of passenger rail franchises by Secretary of State

- (1) When any existing private rail franchise comes up for renewal, it shall revert to the control of the Secretary of State, who shall allocate it to a public body nominated or established under this section.
- (2) Existing private rail franchises shall also revert to the control of the Secretary of State, if the Secretary of State considers that it would be more economic and efficient for a franchise to be operated by a public body nominated by the Secretary of State. 5
- (3) The Secretary of State may by order establish a public body to take control of one or more passenger rail franchises, or may by order nominate an existing public body to do so, and in either case the order may make provisions for the appointment and governance of such a body. 10
- (4) In respect of existing Scotrail passenger services the public body referred to above will be nominated by the Scottish Government.
- (5) In respect of existing Wales and Borders passenger services the public body referred to above will be nominated by the Secretary of State in consultation with the Welsh Assembly Government. 15
- (6) The existing public body or new public body described in subsection (3) above may operate railway freight services and control railway infrastructure, rolling stock and associated functions if the Secretary of State believes it is economic and efficient for it to do so. 20

2 Repeal of section 25 of the Railways Act 1993

Section 25 of the Railways Act 1993 (Passenger services to be subject to franchise agreements) is repealed.

3 Orders

- (1) The Secretary of State may by order amend the Railways Act 1993 to make provisions consequential on Sections 1 or 2 of this Act. 5
- (2) A statutory instrument containing an order under this Act may not be made unless a draft of it has been laid before and approved by resolution of each House of Parliament.

4 Financial provision 10

There is to be paid out of money provided by Parliament –

- (a) *any expenditure incurred under or in consequence of this Act by the Secretary of State, and*
- (b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.* 15

5 Duty for public provision of rail services from commencement

From the commencement of this Act, no new franchise may be awarded to a body other than one nominated or established under Section 1.

6 Short title, commencement and extent

- (1) This Act may be cited as the Railways Act 2016. 20
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act extends to England and Wales and Scotland.

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*Presented by Caroline Lucas,
supported by
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to be Printed, 4 July 2016.*

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