

Draft Order laid before Parliament under section 19A of the Railway Act 2005, for approval by resolution of each House of Parliament.

S T A T U T O R Y I N S T R U M E N T S

2015 No.

PUBLIC PASSENGER TRANSPORT

The Passengers' Council (Change of Name) Order 2015

Made - - - -

2015

Coming into force in accordance with Article 1

The Secretary of State for Transport, in exercise of the powers conferred by section 19A of the Railways Act 2005(a), makes the following Order.

A draft of this Order was laid before Parliament in accordance with sections 19A(8) and 56(4) of that Act and approved by a resolution of each House of Parliament.

Citation and Commencement

1. This Order may be cited as the Passengers' Council (Change of Name) Order 2015 and comes into force on the day after the day on which it was made.

New name for Passengers' Council

2.—(1) The body corporate established under section 19(1) of the Railways Act 2005 is to be known as Transport Focus.

(2) The consequential amendments in the Schedule have effect.

(3) References in enactments, instruments or documents to the Central Rail Users' Consultative Committee, the Rail Passengers' Council or the Passengers' Council have effect after the coming into force of this Order as references to Transport Focus.

Signed by authority of the Secretary of State

Date

Parliamentary Under Secretary of State
Department for Transport

(a) 2005 c.14. Section 19A was inserted by section 74 of the Local Transport Act 2008 (c.26).

THE SCHEDULE

Change of Name of Passengers' Council: Consequential Amendments

PART 1

Amendments to Primary Legislation

Public Records Act 1958 (c. 51)

1.—(1) In Part 2 of the table at the end of paragraph 3 of Schedule 1 to the Public Records Act 1958 (Definition of Public Records)—

(2) At the appropriate place insert—

“Transport Focus”.

(3) Omit the entry for the Passengers' Council^(a).

Transport Act 1962 (c. 46)

2. In section 56 (The Passengers' Council and London Transport Users' Committee) of the Transport Act 1962—

(a) for “the Passengers' Council”^(b), wherever occurring, substitute “Transport Focus”, and

(b) in the heading, for “The Passengers' Council” substitute “Transport Focus”.

Parliamentary Commissioner Act 1967 (c. 13)

3. In Schedule 2 to the Parliamentary Commissioner Act 1967 (Departments Etc Subject to Investigation)—

(a) at the appropriate place insert—

“Transport Focus”, and

(b) omit the entry for “Passengers' Council”^(c).

Transport Act 1968 (c. 73)

4. In section 55 (Amendments as to Passengers' Council and London Transport Users' Committee) of the Transport Act 1968—

(a) for “the Passengers' Council”^(d) substitute “Transport Focus”, and

(b) in the heading, for “Passengers' Council” substitute “Transport Focus”.

House of Commons Disqualification Act 1975 (c. 24)

5.—(1) In Part 3 (Other Disqualifying Offices) of Schedule 1 to the House of Commons Disqualification Act 1975, in the entry “**Board Member** of the Passengers' Council in receipt of remuneration”^(e), for “the Passengers' Council” substitute “Transport Focus”.

(a) These words were inserted by S.I. 2010/439, Article 2, Schedule, paragraph 1.

(b) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 2.

(c) Schedule 2 was substituted by S.I. 2011/2986, Article 2, Schedule.

(d) The words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 4.

(e) These words were inserted by the Transport Act 2000, section 227, Schedule 22, Part 2, paragraph 19, and the word “Rail” was omitted by S.I. 2010/762, Article 2, Schedule 1, Part 3, paragraph 28.

Transport Act 1985 (c. 67)

6. In Part 5A (Passengers' Council: Road Passenger Transport Functions in England) of the Transport Act 1985(a), for "the Passengers' Council" and "the Council", wherever occurring, substitute "Transport Focus".

Channel Tunnel Act 1987 (c. 53)

7. In section 41(1)(a) of the Channel Tunnel Act 1987 (Railway services: consultative committees and closures), for "the Passengers' Council"(b) substitute "Transport Focus".

Railways Act 1993 (c. 43)

8.—(1) The Railways Act 1993 is amended as follows.

(2) In section 68(2) (Investigatory functions) for "the Passengers' Council"(c) substitute "Transport Focus".

(3) In section 76 (General railway duties of Passengers' Council)—

(a) for "the Passengers' Council"(d), wherever occurring, substitute "Transport Focus",

(b) for "that Council"(e) substitute "Transport Focus", and

(c) in the heading, for "Passengers' Council"(f) substitute "Transport Focus".

(4) In the cross-heading before section 76 for "The Passengers' Council"(g) substitute "Transport Focus".

(5) In section 76A (Delegation of duties under section 76(7A))(h)—

(a) for "the Passengers' Council"(i), wherever occurring, substitute "Transport Focus", and

(b) for "that Council", wherever occurring, substitute "Transport Focus".

(6) In section 145(5)(a) (General restrictions on disclosure of information) for "the Passengers' Council"(j) substitute "Transport Focus".

Greater London Authority Act 1999 (c. 29)

9.—(1) The Greater London Authority Act 1999 is amended as follows.

(2) In section 252B(1)(b) (References to Committee in relation to railways)(k), for "the Passengers' Council"(l) substitute "Transport Focus".

(3) In section 252D(3)(a) (Reports on investigation etc)(m), for "the Passengers' Council"(n) substitute "Transport Focus".

(4) In section 252E(2) (Power to make exclusions from duties under sections 252A to 252D)(o), for "the Passengers' Council"(p) substitute "Transport Focus".

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- (a) Part 5A was inserted by S.I. 2010/439, Article 3(1).
(b) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 5.
(c) The word "the" was substituted by the Railways Act 2005, section 21(2). The words "Passengers' Council" were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 6(2).
(d) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 6(3)(a).
(e) Subsection (2A) was inserted by Railways Act 2005, section 21(3). Schedule 6, paragraph 5.
(f) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 6(3)(b).
(g) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 6(4).
(h) Section 76A was inserted by the Railways Act 2005, section 20.
(i) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 6(5).
(j) The word "the" was substituted by the Railway Act 2005, section 54(4), Schedule 11, paragraphs 1 and 16(2). The words "Passengers' Council" were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 6(6).
(k) Section 252B was inserted by the Railways Act 2005, section 21(3), Schedule 6, paragraph 3.
(l) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 7(2).
(m) Section 252D was inserted by the Railways Act 2005, section 21(3), Schedule 6, paragraph 3.
(n) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 7(3).
(o) Section 252E was inserted by the Railways Act 2005, section 21(3), Schedule 6, paragraph 4(1).
(p) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 7(4).

(5) In Schedule 18 (London Transport Users' Committee) in paragraph 11(3) for "the Passengers' Council"(a) substitute "Transport Focus".

Freedom of Information Act 2000 (c. 36)

10. In Part 6 (Other Public Bodies and Offices: General) of Schedule 1 to the Freedom of Information Act 2000—

- (a) at the appropriate place insert—
"Transport Focus.", and
- (b) omit the entry for "The Passengers' Council"(b).

Transport Act 2000 (c. 38)

11. In paragraph 10 of Schedule 28 (Transitional and Savings about Railways) of the Transport Act 2000, for "Passengers' Council"(c) substitute "Transport Focus".

Railways Act 2005 (c. 14)

12.—(1) The Railways Act 2005 is amended as follows.

(2) In section 1(3)(e) (Transfer etc of SRA functions and abolition), for "the Passengers' Council"(d) substitute "Transport Focus".

(3) In section 19 (The Passengers' Council)—

- (a) in subsections (1) to (5)—
 - (i) for "the Passengers' Council"(e), wherever occurring, substitute "Transport Focus",
 - (ii) for "That Council", wherever occurring, substitute "Transport Focus",
- (b) in subsection (10), for "Council" substitute "body corporate", and
- (c) in the heading, for "The Passengers' Council"(f) substitute "Transport Focus".

(4) In section 19A (Power to confer non-rail functions on the Passengers' Council)—

- (a) for "the Passengers' Council"(g), wherever occurring, substitute "Transport Focus", and
- (b) in the heading, for "the Passengers' Council"(h) substitute "Transport Focus".

(5) In the heading for Part 3, for "Passengers' Council"(i) substitute "Transport Focus".

(6) In Schedule 5 (Passengers' Council established by section 19(1))—

- (a) in paragraph 1 (introductory), omit the definition of "the PC"(j).
- (b) for "the PC"(k), wherever occurring, substitute "Transport Focus", and
- (c) in the heading to Schedule 5, for "Passengers' Council"(l) substitute "Transport Focus".

(7) In paragraph 3(2)(g) of Schedule 7 (Consultation under Part 4), for "the Passengers' Council"(m) substitute "Transport Focus".

(a) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 7(5).

(b) These words were inserted by the Infrastructure Act 2015, section 9(8).

(c) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 8(4).

(d) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 9(2).

(e) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 9(3)(a).

(f) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 9(3)(b).

(g) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 9(4)(a).

(h) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 9(4)(b).

(i) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 9(5).

(j) This definition was inserted by S.I. 2010/439, Article 2, Schedule, paragraph 9(7)(a).

(k) The term "PC" was substituted by S.I. 2010/439, Article 2, Schedule, paragraph 9(7)(b).

(l) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 9(7)(c).

(m) These words were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 9(8).

Public Bodies Act 2011 (c. 24)

13. In Schedule 3 (Power to modify constitutional arrangements: bodies and offices) to the Public Bodies Act 2011—

- (a) in the appropriate place insert—
“Transport Focus”, and
- (b) omit the entry for “Passengers’ Council (“Passenger Focus”).”.

The Welsh Language (Wales) Measure 2011 (nawm. 1)

14. In Schedule 6 to the Welsh Language (Wales) Measure 2011(a) (public bodies etc: standards)—

- (a) in the Welsh text—
 - (i) in column 1 of the table, for “Ffocws ar Deithwyr (“Passenger Focus”)” substitute “Ffocws ar Drafnidiaeth” (“Transport Focus”),
 - (ii) in paragraph 2, omit “ystyr “Ffocws ar Deithwyr” (“Passenger Focus”) yw’r Cyngor Teithwyr Rheilffyrdd a sefydlwyd on dan Ddeddf Rheilffyrdd 2005;”,
- (b) in the English text—
 - (i) in column 1 of the table, for “Passenger Focus (“*Ffocws ar Deithwyr*”)” substitute “Transport Focus (“Ffocws ar Drafnidiaeth”)”, and
 - (ii) in paragraph 2, omit “Passenger Focus (“*Ffocws ar Deithwyr*”) means the Rail Passengers’ Council established under the Railways Act 2005.

Infrastructure Act 2015 (c. 7)

15. In subsections (1) to (7) of section 9 (Watchdog) of the Infrastructure Act 2015, for “the Passengers’ Council” and “the Council”, wherever occurring, substitute “Transport Focus”.

PART 2

Amendments to Secondary Legislation

Welsh Language Schemes (Public Bodies) Order 2002

16. In the Schedule to the Welsh Language Schemes (Public Bodies) Order 2002(b), for “Passengers’ Council”(c) substitute “Transport Focus”.

Railways (Rail Passengers’ Council and Rail Passengers’ Committees) (Exemptions) Order 2003

17. In Article 3 (Exemption in favour of the Rail Passengers’ Council) of the Railways (Rail Passengers’ Council and Rail Passengers’ Committees) (Exemptions) Order 2003(d)—

- (a) for “the Passengers’ Council” substitute “Transport Focus”, and
- (b) in the heading, for “the Rail Passengers’ Council” substitute “Transport Focus”.

(a) There are amendments to Schedule 6 but none is relevant to these Regulations.

(b) S.I. 2002/1441.

(c) There were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 10.

(d) S.I. 2003/1695. The words “Passengers’ Council” in Article 3 were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 11. There are other amendments to this Order but none is relevant.

Railway (Licensing of Railway Undertakings) Regulations 2005

18. In regulation 17 (General duties of the Rail Passengers' Council) of the Railway (Licensing of Railway Undertakings) Regulations 2005(**a**)—

- (a) for “the Passengers' Council” substitute “Transport Focus”, and
- (b) in the heading, for “the Rail Passengers' Council” substitute “Transport Focus”.

Railways and Other Guided Transport Systems (Safety) Regulations 2006

19. In regulation 17(10)(a)(iii) of the Railways and Other Guided Transport Systems (Safety) Regulations 2006(**b**) (General provisions relating to safety certificates and safety authorisations), for “the Passengers' Council” substitute “Transport Focus”.

Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006

20. In column 2 of entry 23 of the table in Schedule 5 to the Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006(**c**) (those to be served with a copy of the application and documents), for “the Passengers' Council” substitute “Transport Focus”.

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 1999

21. In column 1 of the table in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 1999(**d**), for “The Passengers' Council” substitute “Transport Focus”.

Infrastructure Planning (Interested Parties) Regulations 2010

22. In column 1 of the table in the Schedule to the Infrastructure Planning (Interested Parties) Regulations 2010(**e**), for “The Rail Passengers Council” substitute “Transport Focus”.

Infrastructure Planning (Compulsory Acquisition) Regulations 2010

23. In column 1 of the table in Schedule 2 to the Infrastructure Planning (Compulsory Acquisition) Regulations 2010(**f**), for “the Rail Passengers Council” substitute “Transport Focus”.

Rail Passengers' Rights and Obligations Regulations 2010

24. In regulations 18 and 19 of the Rail Passengers' Rights and Obligations Regulations 2010(**g**), for “the Passengers' Council”, wherever occurring, substitute “Transport Focus”.

National Assembly for Wales Disqualification Order 2010

25. In Part 2 of the Schedule to the National Assembly for Wales Disqualification Order 2010(**h**), in the entry “Chairman and any other **Board Member** of the Passengers' Council in receipt of remuneration”, for “the Passengers' Council” substitute “Transport Focus”.

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- (a) S.I. 2005/3050. The words “Passengers' Council” in regulation 17(1) were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 13. There are other amendments to these Regulations but none is relevant.
 - (b) S.I. 2006/599. The words “Passengers' Council” in regulation 17(10)(a)(iii) were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 14.
 - (c) S.I. 2006/1466. The words “Passengers' Council” in column 2 of entry 23 of the table in Schedule 5 were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 15. There are other amendments to these Regulations but none is relevant.
 - (d) S.I. 2009/2264. The words “Passengers' Council” were substituted by S.I. 2010/439, Article 2, Schedule, paragraph 20(2). There are other amendments to these Regulations but none is relevant.
 - (e) S.I. 2010/101. There are amendments to these Regulations but none is relevant.
 - (f) S.I. 2010/104. There are amendments to these Regulations but none is relevant.
 - (g) S.I. 2010/1504.
 - (h) S.I. 2010/2969.

Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011

26. In column 1 of the table in Schedule 1 to the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(a), for “Passenger Focus” substitute “Transport Focus”.

Official Statistics Order 2013

27. In the Schedule to the Official Statistics Order 2013(b)—

- (a) in the appropriate place insert—
“Transport Focus”, and
- (b) omit the entry for “Rail Passengers Council”.

Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015

28. In column 1 of the table in Schedule 1 to the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015(c), for “Passengers Council” substitute “Transport Focus”.

Government Resources and Accounts Act 2000 (Estimates and Accounts) Order 2015

29. In table 4 (Department for Transport) of the Schedule to the Government Resources and Accounts Act 2000 (Estimates and Accounts) Order 2015(d)—

- (a) in the appropriate place insert—
“Transport Focus”.
- (b) Omit the entry for “Passenger Focus”.

[Scottish Parliament (Disqualification) Order 2015

30. In Part 1 (Office-holders disqualified from being a Member of the Scottish Parliament) of the Schedule to the Scottish Parliament (Disqualification) Order 2015(e), in the entry “**Board Member** of the Passengers’ Council in receipt of remuneration”, for “the Passengers’ Council” substitute “Transport Focus”.]

EXPLANATORY NOTE

(This note is not part of the Order)

This Order changes the name of the body corporate established under section 19(1) of the Railways Act 2005 from Passengers’ Council to Transport Focus.

Article 2 changes the name of the Passengers’ Council to Transport Focus. This article also introduces the Schedule, which makes consequential amendments to change the name in other legislation.

(a) S.I. 2011/2055. There are amendments to these Regulations but none is relevant.
(b) S.I. 2013/1163.
(c) S.I. 2015/462.
(d) S.I. 2015/632.
(e) S.I. 2015/?