

Red Tape Challenge Rail Transport

July 2012

Contents

	Page
Introduction	1
Annex A – Fares & Licensing	3
Fares, licensing issues and the economic regulation of the railways	
Annex B – Workers & Organisations	6
Railway workers and related organisations including railway pensions	
Annex C – Planning & Infrastructure	10
Railway planning and infrastructure such as authority to purchase land	
Annex D – Standards & Safety	13
Railway safety and standards legislation including technical standards	
Annex E – Additional “Lapsed or Spent”	18
Instruments identified as on the Statute Book but having no legal effect	

Introduction

In November 2011, the Department for Transport put nearly two hundred regulations relating to our railways online as part of the Government's Red Tape Challenge.

Traditionally, the nature of the regulatory regime in the rail sector has been focussed on the safe and efficient operation of the system rather than imposing regulatory burdens directly. The approach taken in the Railways Act 1993 was to establish a framework for the railways which protected wider interests around competition and safety. As a result, the rail environment is therefore defined in the broadest possible sense, creating the necessity of providing exemptions and other provisions by regulation to recognise specific operating realities. By their nature, such regulations are already deregulatory in nature or do not create any new regulatory or cost burdens on business.

Although we estimate that over fifty per cent of rail regulations come into this category, and scope for deregulation was therefore limited, nevertheless the aim of the Challenge was to re-examine every regulation across the rail transport sector. We have therefore sought to investigate and explore deregulatory opportunities wherever these exist and the rail regulations were considered on this basis.

We asked for the ideas of industry professionals, members of the public and colleagues across Whitehall to assist us in identifying and removing any unnecessary regulatory barriers.

Nearly 700 comments were received from members of the public as well as a large number of submissions from the industry, trade union and other organisations. Rail Minister Theresa Villiers led a workshop with representatives from key stakeholder groups, including our Red Tape Sector Champions, and we have also scrutinised each regulation closely from both policy and legal perspectives following a rigorous internal process.

There remain many regulations which play important roles in, for example, the protection of public safety but there are many others which are out of date, impose unnecessary or disproportionate burdens on business or the public or whose intended function is now obsolete or no longer appropriate.

Following detailed examination and analysis, we believe that forty per cent of the regulations considered are suitable for improvement or scrapping outright.

	Keep	Improve	Scrap	Moved*
Number	129	28	60	4
Percentage	58%	13%	27%	2%

* Moved regulations predominantly relate to another Red Tape theme and will be resolved in a different part of the Challenge.

This report explains what we are doing for each regulation that has been considered under the Rail Theme of the Red Tape Challenge. The following sections are split into the four categories under which the regulations have been considered:

- Fares & Licensing;
- Workers & Organisations;
- Planning & Infrastructure; and
- Standards & Safety.

Each section has a summary of the area and a more detailed explanation of the proposals for each individual regulation where improvements will be made but among the most important measures will be to:

- streamline the process for amending national rail penalty fares;
- harmonise and simplify the process for obtaining an operating licence;
- review the railway closure process;
- reduce regulatory burdens and costs on historic cableways;
- merge a number of instruments to make regulations easier to understand; and
- remove a significant number of lapsed or redundant instruments.

Some of these measures will take time to implement since they will be the subject of further reviews or require additional policy or legal development. Additional public consultation on specific proposals for change will be undertaken in due course where appropriate. Others improvements can be delivered relatively soon or are in areas where proposals were already significantly developed prior to the introduction of the Challenge. Together, they will lead to less paperwork, greater transparency and more personal freedom and responsibility.

These outcomes should also be viewed against the backdrop of the Government's Command Paper "*Reforming Our Railways: Putting the Customer First*¹" which outlines the aim and vision for the railways now being delivered by the rail industry.

Rail transport is only one of the themes in the Government's Red Tape Challenge. You can find out more at www.redtapechallenge.cabinetoffice.gov.uk.

¹ *Reforming Our Railways: Putting the Customer First*, TSO, Cm 8313, March 2012, ISBN 978010183121. Available from <http://assets.dft.gov.uk/publications/reforming-our-railways/reforming-our-railways.pdf>.

Fares & Licensing

	Moved	Scrap	Improve	Keep	Total
	0	4	8	20	32
Percentage	0%	13%	25%	62%	100%

Summary

Legislation concerning fares, licensing issues and the economic regulation of the railways including:

- licensing of railway undertakings;
- European requirements (harmonisation & single market);
- penalty fares legislation; and
- ensuring that the Department can be the “operator of last resort”.

Improves

Railways (Licensing of Railway Undertakings) Regulations 2005

Railways (Licence Application) Regulations 1994

The Department is already working with the Office of Rail Regulation to determine the best way in which these two regulations can be merged with the objective of introducing further consistency and reducing both bureaucracy and duplication in processing licence applications whilst, where possible, improving implementation.

Railways (Class and Miscellaneous Exemptions) Order 1994

Railways (Provision etc of Railway Facilities) (Exemption) Order 2005

The Office of Rail Regulation will review the exemption regime to ascertain whether it may be possible to make improvements. The review will primarily focus on generic exemptions, such as those for heritage services, to ensure they remain fit for purpose and seek to remove lapsed provisions and merging the two instruments to provide an “exemptions one-stop-shop” in future.

Railways (Penalty Fares) Regulations 1994

Railways (Penalty Fares) (Amendment) Regulations 2005

Making changes to enable the maximum limits for penalty fares on the national rail network to be set, following consultation, by administrative order instead of by Statutory Instrument as at present. This will bring national rail in line with the mechanism used by Transport for London and other local operators.

National Rail Conditions of Carriage

Although not regulatory and owned by the Association of Train Operating Companies, the National Rail Conditions of Carriage (“NRCoC”) were included since they outline passenger’s rights and responsibilities when travelling on the national rail network. The public response to the Challenge strongly supported the retention of NRCoC in its existing form - these were seen as protecting passengers’ interests and supporting the national network. The document was seen by passengers, as well as the industry, as “necessary” and “useful”. Ministers have already approved changes to the NRCoC, which come into force on 20 May 2012 following an industry review and the public consultation as part of the Challenge, to explain more clearly to passengers their rights and to ensure the NRCoC remain current.

Ticketing and Settlement Agreement

Although not regulatory and owned by the Association of Train Operating Companies (“ATOC”), included because it sets out the rules for setting fares and selling tickets (as well as sharing fare revenues between operators) in a way that requires the individual companies to act as a single network from a passenger perspective. Public consultation comments have been fed into ATOC and will inform the development of proposals arising from the Rail Fares and Ticketing review as part of which the Department is currently consulting on options for change.

Scraps

Croydon Tramlink (Penalty Fares) Order 2003

This Order, which contains enabling powers to establish a penalty fare regime for Croydon Tramlink, has already been revoked by the Croydon Tramlink (Penalty Fares) Order 2009. Responsibility for the setting of all penalty fares across the Transport for London network now rests with the Mayor.

Railways (Inverness Station) (Exemptions) Order 2000

This Order provides an exemption from the railway closure provisions for a small portion of track at Inverness Station where upgrading works were being undertaken. That work has now been completed for some time.

Railways (Heathrow Express Temporary Network) (Exemptions) Order 1997

This Order relates to a temporary network which was established to allow the earlier introduction of trains to the airport whilst construction of a permanent link from the West Coast Main Line was being completed. The temporary network was subsequently closed and lifted.

Railways (Rail Passengers' Council and Rail Passengers' Committees (Exemptions) (Amendment) Order 2005

This Order facilitates the abolition of the Rail Passengers' Council and Committees (which were replaced by Passenger Focus). The abolition has now taken place and the primary powers under which the Order was made have now been repealed.

Keeps

- Railways (Convention on International Carriage by Rail) Regulations 2005
- Channel Tunnel (International Arrangements) (Amendment) Order 2008
- Channel Tunnel (International Arrangements) (Amendment) Order 2009
- Docklands Light Railway (Lewisham Extension) (Exemptions) Order 1999
- Docklands Light Railway (Miscellaneous Closure Exemptions) Order 1999
- Docklands Light Railway (Silvertown and London City Airport) (Exemptions etc.) Order 2006
- Rail Administration Order Rules 2001
- Railways (Public Service Obligations) Regulations 2010
- Railways (East London Railway Services) Exemption Order 2009
- Railways (Heathrow Express) (Exemptions) (Amendment) Order 2002
- Railways (Heathrow Express) (Exemptions) Order 1994
- Railways (London Regional Transport) (Exemptions) Order 1994
- Railways (North and West London Lines) Exemption Order 2007
- Rail Passengers' Rights and Obligations (Exemption) Regulations 2009
- Rail Passengers' Rights and Obligations Regulations 2010
- Railways (Rail Passengers' Council and Rail Passengers' Committees) (Exemptions) Order 2003
- Channel Tunnel (International Arrangements) Order 2005
- Railways Infrastructure (Access and Management) (Amendment) Regulations 2009
- Railways Infrastructure (Access and Management) Regulations 2005
- South Yorkshire Light Rail Transit (Penalty Fares) (Activating) Order 1994

Workers & Organisations

	Moved	Scrap	Improve	Keep	Total
	2	11	0	40	53
Percentage	4%	21%	0%	75%	100%

Summary

Legislation concerning railway workers and related organisations, for example the British Railways Board, railway pensions and staff transfers:

- pensions;
- transitional provisions for staff (consequential on privatisation);
- governance (e.g. abolishment of SRA, Railtrack plc);
- British Railways Board (consequential on privatisation); and
- establishment of Public Transport Enterprises.

Improves

No regulations which could be improved were identified in this category.

Scraps

Public Passenger Transport (Anticipatory Exercise of Powers) Order 1986

This Order enables the metropolitan passenger transport authorities to take, at any time before 1 April 1986, the steps required as a preliminary to the exercise of the powers necessary to perform duties for the formulation of policies for the provision of public passenger transport services. The transfer deadline is now long past and relate to a transfer of responsibilities which are no longer relevant, the functions of the metropolitan passenger transport authorities having been subsequently passed to other bodies.

Public Records (British Railways Board) Order 1984

This Order provides that the records of the British Railways Board which have, or may be, transferred to the Keeper of Public Records shall be treated as public records. These measures have subsequently been superseded by the Freedom of Information Act and other similar transparency legislation.

Railway Clearing House Scheme Order 1954

This Order relates to a body, the British Railway Clearing House which was set up in the nineteenth century to manage the allocation of revenue collected by numerous pre-grouping railway companies, which no longer exists.

Railway Employment Exemption Regulations 1962 (Revocation) Order 1990

This Order revoked earlier regulations which prohibited the employment of boys of less than sixteen years of age from employment in industrial undertakings at night due to the introduction of more recent legislation.

Railways (Abolition of the Strategic Rail Authority) Order 2006

This Order provides for the abolition of the Strategic Rail Authority and the transfer of its powers to various other bodies. Since this transfer has been effected, the Order is no longer required.

Railways Act 2005 (Transitional Provisions and Savings) Order 2005

This Order makes transitional and savings provisions as a result of the enactment of the Railways Act 2005. The provisions have been effected and the Order is no longer required.

Strategic Rail Authority (Capital Allowances) Order 2001

This Order makes provision relating to the expenditure of the Strategic Rail Authority which has now been wound up. The Order is no longer required.

Strategic Rail Authority (Licence Exemption) Order 2001

This Order provides for the grant of exemptions to the Strategic Rail Authority from the requirement to be authorised by licence to be the operator of any railway asset. Since the Strategic Rail Authority has now been wound up, the Order is no longer required.

Railtrack Group plc (Target Investment Limit) Order 1996

This Order fixes the target investment limit for the Government's shareholding in Railtrack Group plc. Since Railtrack Group plc has now been wound up, and its functions passed to Network Rail, the Order is no longer required.

Railway Heritage Scheme Order 2005

This Order sets out provisions for the continued establishment of the Railway Heritage Committee, the duration and termination of membership and other administrative functions. The Railway Heritage Committee has been listed in the Public Bodies Act 2011 and this Order will cease to have effect once it is formally abolished.

British Transport (Closed Railway Pension Scheme) Order 1965

The pension funds to which this Order relates have not existed for a significant period of time and the Order is no longer required.

Keeps

- British Railways Board (Reduction in Membership) Order 2001
- Merseyside Passenger Transport Area (Enactments & Instruments) Order 1973
- Merseyside Passenger Transport Area (Designation) Order 1969
- Railway Pensions (Designation, Substitution and Miscellaneous Provisions) Order 2001
- Railways Act 1993 (Consequential Modifications) (No.2) Order 1999
- Railways Act 1993 (Consequential Modifications) Order 1994
- Railways Act 1993 (Consequential Modifications) Order 1999
- Transport for London (Consequential Provisions) Order 2003
- Transport for London (Consequential Provisions) Order 2005
- Transport for London (Consequential Provisions) Order 2007
- Transport for London (East London Line) Transfer Scheme Confirmation Order 2009
- Transport for London (Preliminary Arrangements) Order 2000
- Transport for London (Reserved Services) (London Underground Limited) Exemption Order 2003
- Railways Act 1993 (Determination of Turnover) Order 2005
- British Transport Police (Transitional and Consequential Provisions) Order 2004
- British Railways (Alteration of Pension Schemes) Order 1967
- British Railways and London Transport Pension Schemes (Amendment) Order 1973
- British Railways Board (Alteration of Pension Schemes) Order 1973
- British Railways Board (Central Trust) Order 1974
- British Railways Board (Pension Funds Investment Provisions) Order 1977
- British Railways Board (Winding up of Closed Pension Funds) Order 1978
- British Railways Pension Schemes (Unfunded Proportions) (No. 1) Order 1981
- British Railways Pension Schemes (Unfunded Proportions) (No. 2) Order 1981
- British Transport (Amalgamation of Railways' Pension Funds) (No. 1) Order 1970
- British Transport (Southern Railway Superannuation Fund) Order 1970
- British Transport Police (Transfers from Pension Schemes) Order 1968
- National Insurance (Modification of the London Transport and Railway Pension Schemes) Regulations 1956
- Railway Pensions (Protection and Designation of Schemes) Order 1994
- Railway Pensions (Substitution and Miscellaneous Provisions) Order 1995
- Railway Pensions (Substitution) Order 1994
- Railway Pensions (Transfer and Miscellaneous Provisions) Order 1994

- Railway Pensions (Transfer of Pension Schemes) Order 2007
- Railways Act 1993 (Consequential Modifications) (No. 4) Order 1994
- Railways Pension Scheme Order 1994
- Railways Pensions Guarantee (Prescribed Persons) Order 1994
- Railways Pensions Guarantee (Prescribed Persons) Order 2007
- Cross-Border Railway Services (Working Time) Regulations 2008
- Train Driver Licences and Certification Regulations 2010
- British Transport Police (Police Services Agreement) Order 2004
- Railway Safety Accreditation Scheme Regulations 2004

Moves

- Railway Industry (Employees Vouchers) (Taxation) Order 1996
- Railtrack plc (Rateable Value) (Wales) Order 2000

Planning & Infrastructure

	Moved	Scrap	Improve	Keep	Total
	0	7	10	15	32
Percentage	0%	22%	31%	47%	100%

Summary

Legislation concerning railway planning and infrastructure, for example authority to purchase land and build a railway:

- project-specific enabling legislation (e.g. Crossrail);
- transport & Works Act order regime; and
- railway closure procedures.

Improves

Closures Guidance (Railway Services in England and Wales) Order 2006

Closures Guidance (Railways Services in Scotland and England) Order 2006

Railways (Alternative Closure Procedure) Order 1994

These instruments concern the heavy and light rail closure procedures and will be considered in a comprehensive review of the current process which is seen as overly bureaucratic and burdensome on both business and the public sector.

Crossrail (Planning Appeals) (Written Representatives Procedure) (England) (Amendment) Regulations 2009

Crossrail (Fees for Requests for Planning Approval) Regulations 2008

Crossrail (Nomination) Order 2008

Crossrail (Planning Appeals) (Written Representation Procedure) (England) Regulations 2008

Crossrail (Qualifying Authorities) Order 2008

These instruments will be improved, where appropriate and following further legal investigation, through the addition of a review clause with a view to ensuring that they can fall once the project is completed and all associated commitments have been concluded.

Merseyrail Electrics Network Order 2002

Merseyrail Electrics Network Order 2003

These two orders will be merged and the opportunity used to update the provisions which devolve Merseyrail to the local Passenger Transport Executive.

Scraps

European Communities (Definition of Treaties) (International Railway Tariffs Agreements) Order 1980

This Order transposes the European Coal and Steel Community Agreements from 1956, 1957 and 1974 which introduced international tariffs for the carriage of coal and steel between European Union Member States and Switzerland. Such tariffs are now determined by market forces and through commercial negotiations rather than by Treaty obligations and the Order is no longer required.

Railways Act 1993 (Extinguishment of Loans) (Railtrack plc) Order 1996

This Order extinguishes, on 29 March 1996, all of Railtrack Group plc's liabilities in respect of loans transferred to it from the British Railways Board. Railtrack Group plc has subsequently been wound up and the Order is no longer required.

Transport and Works (Model Clauses for Railways and Tramways) Order 2006

This Order sets out the recommended (non-mandatory) form of legal provisions to be used in Transport and Works Act Orders authorising the construction of railways and tramways. Instead of an Order, the model clauses will in future be included in non-statutory guidance. This will improve the flexibility and speed of responses to changes in policy or other related legislation and benefit business by ensuring that stakeholders always have the most recent text to work from.

Railways (Closure Provisions) (Exemptions) (St. Pancras) Order 2001

This Order exempts certain railway lines into St Pancras station from railway closure provisions. Following the redevelopment of St Pancras station, the Order is no longer required.

Channel Tunnel Rail Link (Assessment of Environmental Effects) Regulations 1999 Channel Tunnel Rail Link (Planning Appeals) Regulations 1997 Channel Tunnel Rail Link (Qualifying Authorities) Order 1997

These instruments all relate to measures required during the construction of the Channel Tunnel Rail Link (now known as "High Speed One"). Construction was completed some time ago and their provisions are now no longer required.

Keeps

- Channel Tunnel Rail Link (Effective Joining) Order 1991
- Crossrail (Devolution of Functions) Order 2010
- Railways (Substitute Road Services Exemptions) Order 2006
- Railways (Transport for London) (Exemptions) Order 2009

Annex C

- Transport and Works (Description of Works Interfering with Navigation) (Amendment) Order 1997
- Transport and Works Applications (Inland Waterways Procedure) Regulations 1993
- Transport and Works (Description of Works Interfering with Navigation) Order 1992
- Railways (Alternative Closure Procedure) (Croydon Tramlink) Order 2000
- Railways (Alternative Closure Procedure) (Amendment) Order 1999
- Railways (Closure Provisions) (Exemptions) Order 1996
- Railway Closures (Minor Modifications) Order 2009
- Channel Tunnel Rail Link (Nomination) Order 2008
- Channel Tunnel Rail Link (Nomination) (London Underground Works) (Amendment) Order 1999
- Channel Tunnel Rail Link (Nomination) (London Underground Works) Order 1999
- Railways (Ashford) (Exemptions) Order 1998

Standards & Safety

	Moved	Scrap	Improve	Keep	Total
	2	15	10	54	81
Percentage	3%	18%	12%	67%	100%

Summary

Legislation concerning railway safety and standards for example safety requirements, harmonised technical standards and British Transport Police issues.

- safety regime (largely EU-derived);
- technical standards (EU interoperability & single market);
- accident investigation and reporting; and
- rail vehicle accessibility regime.

Improves

Railway Safety (Miscellaneous Amendments) Regulations 2001

Railway Safety (Miscellaneous Provisions) Regulations 1997

Railway Safety Regulations 1999

The Office of Rail Regulation (“ORR”) is undertaking a comprehensive review of these instruments. The legislation covers a diverse range of matters, from train protection, the prohibition of the use of certain rolling stock and the provision of lineside fencing. The Department believes there is significant potential to reduce the amount of regulation in some areas with scope for improvements and consolidation elsewhere and will work closely with ORR to ensure that deregulatory potential is pursued where possible.

Railways (Access to Training Services) Regulations 2006

Railways and Other Guided Transport Systems (Safety) Regulations 2006

We will explore, with the Office of Rail Regulation, merging legislation relating to the transposition of the Railway Safety Directive (2004/49/EC) into one consolidated instrument at the first opportunity.

Railways (Interoperability) (Amendment) Regulations 2007

Railways (Interoperability) Regulations 2006

These instruments have already been improved during the Challenge period. They have been revoked and replaced by the Railways (Interoperability) Regulations 2011 which transpose a recast European Directive in this area.

Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006

These regulations form part of a suite of 10 regulations which implement the Measuring Instruments Directive (2004/22/EC). It is proposed to merge these into two new instruments to align with consequential changes being made at the European level.

Cableways Installation (Amendment) Regulations 2004

Cableways Installation Regulations 2004

The Department wishes to amend the regulations to exempt historic cableways in place prior to the introduction of a European Directive which these instruments transpose. This will remove both regulatory and cost burdens from the operators of these systems.

Scraps

Railways (Registers) Order 1994

This Order sets out the hours during which the registers maintained by the Office of Rail Regulation are to be available for public inspection. These provisions have been superseded by subsequent transparency legislation (for example the Freedom of Information Act) and the information will now be made available permanently, free of charge, on the Office of Rail Regulation's web site.

Rail Vehicle Accessibility (Applications for Exemption Orders) Regulations 2010

Rail Vehicle Accessibility Exemption Orders (Parliamentary Procedures) Regulations 2008

We intend to pursue amendments to the Equality Act 2010 to enable exemptions from the Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 to be made administratively rather than by Statutory Instrument as at present. If this change can be made, the Rail Vehicle Accessibility (Applications for Exemption Orders) Regulations 2010 and the Rail Vehicle Accessibility Exemption Orders (Parliamentary Procedure) Regulations 2010 will be scrapped.

Rail Vehicle Accessibility (Connex South Eastern Class 375 Vehicles) Exemption (Amendment) Order 2001

Rail Vehicle Accessibility (CrossCountry Trains Class 220 and Class 221) Exemption Order 2004

Rail Vehicle Accessibility (Croydon Tramlink Class CR4000 Vehicles) Exemption (Amendment) Order 2005

Rail Vehicle Accessibility (Great Eastern Railway Class 360 Vehicles) Exemption Order 2003

Rail Vehicle Accessibility (Heathrow Express Class 360/2) Exemption (Amendment) Order 2005

Rail Vehicle Accessibility (Heathrow Express Class 360/2) Exemption Order 2005

Rail Vehicle Accessibility (Hull Trains Class 170/3) Exemption Order 2004

Rail Vehicle Accessibility (North Western Trains Class 175/0 and Class 175/1 Vehicles) Exemption Order 2001

Rail Vehicle Accessibility (South Central Class 377/4) Exemption Order 2004

Rail Vehicle Accessibility (South Eastern Trains Class 376) Exemption Order 2004

Rail Vehicle Accessibility (Virgin West Coast Class 390) Exemption Order 2005

The above rail vehicle accessibility exemption orders all have time limits which have subsequently expired and consequently have no practical legal effect. They are therefore no longer required.

Form of Coroner's Return – Deaths Caused by Railway Accidents 1895

This is a form previously submitted by Coroners in the event of a death on a railway. The form has been superseded by a new recording mechanism operated by RSSB (formerly the Rail Standards & Safety Board) which collates information via a mandatory industry reporting channels.

Keeps

- Railways Act 1993 (Consequential Modifications) (No. 5) Order 1996
- Railways (Accident Investigation and Reporting) Regulations 2005
- Railways (Accident Investigation and Reporting) (Amendment) Regulations 2005
- Channel Tunnel (Safety) Order 2007
- Health & Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006
- Health & Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006
- Railway Bridges (Load-Bearing Standards) (England and Wales) Order 1972
- Railway Safety Levy Regulations 2006
- Railways Act 2005 (Amendment) Regulations 2005
- Railways and Other Guided Transport Systems (Safety) (Amendment) Regulations 2006
- Railways and Other Guided Transport Systems (Safety) (Amendment) Regulations 2011
- Rail Vehicle Accessibility (Anglia Railways Class 170/2 Vehicles) Exemption Order 2000
- Rail Vehicle Accessibility (B2007 Vehicles) Exemption Order 2008
- Rail Vehicle Accessibility (Bristol Harbour Railway Vehicle Number DB978121) Exemption Order 2003
- Rail Vehicle Accessibility (C2C Class 357/0 Vehicles) Exemption (Amendment) Order 2002

Annex D

- Rail Vehicle Accessibility (C2C Class 357/0 Vehicles) Exemption Order 2001
- Rail Vehicle Accessibility (Cairngorm Funicular Railway) Exemption Order 2002
- Rail Vehicle Accessibility (Central Trains Class 170/5 and Class 170/6 Vehicles) Exemption Order 2000
- Rail Vehicle Accessibility (Connex South Eastern Class 375 Vehicles) Exemption Order 2000
- Rail Vehicle Accessibility (Croydon Tramlink Class CR4000 Vehicles) Exemption Order 2001
- Rail Vehicle Accessibility (East Hayling Light Railway Vehicles) Exemption Order 2002
- Rail Vehicle Accessibility (Ffestiniog Railway Company Vehicle Number 122) Exemption Order 2003
- Rail Vehicle Accessibility (Furness Railway Trust North London Coach) Exemption Order 2003
- Rail Vehicle Accessibility (Gatwick Express Class 460 Vehicles) Exemption (Amendment) Order 2001
- Rail Vehicle Accessibility (Gatwick Express Class 460 Vehicles) Exemption (Amendment) Order 2004
- Rail Vehicle Accessibility (Gatwick Express Class 460 Vehicles) Exemption Order 2001
- Rail Vehicle Accessibility (Great Western Trains Company Class 180 Vehicles) Exemption Order 2001
- Rail Vehicle Accessibility (Hull Trains Class 222) Exemption Order 2004
- Rail Vehicle Accessibility (Interoperable Rail System) Regulations 2008
- Rail Vehicle Accessibility (Isle of Wight Railway LCDR No. 2515 Vehicle) Exemption Order 2002
- Rail Vehicle Accessibility (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2010
- Rail Vehicle Accessibility (London Underground Victoria Line 09TS Vehicles) Exemption Order 2008
- Rail Vehicle Accessibility (Middleton Railway Drewry Car) Exemption Order 2002
- Rail Vehicle Accessibility (Midland Mainline Class 170/1 Vehicles) Exemption Order 2001
- Rail Vehicle Accessibility (Midland Mainline Class 222 Vehicles) Exemption Order 2004
- Rail Vehicle Accessibility (Midland Metro T69 Vehicles) Exemption Order 2001
- Rail Vehicle Accessibility (Networks) Exemption Order 2010
- Rail Vehicle Accessibility (Non-Interoperable Rail System) (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2011
- Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010
- Rail Vehicle Accessibility (ScotRail Class 170/4 Vehicles) Exemption Order 2001
- Rail Vehicle Accessibility (ScotRail Class 334 Vehicles) Exemption Order 2001

Annex D

- Rail Vehicle Accessibility (Seaton Tramway Tramcars 9, 10 and 11) Exemption Order 2004
- Rail Vehicle Accessibility (Serco Metrolink T68A Vehicles) Exemption Order 1999
- Rail Vehicle Accessibility (South West Trains Class 444 and Class 450 Vehicles) Exemption (Amendment) Order 2004
- Rail Vehicle Accessibility (South West Trains Class 444 and Class 450 Vehicles) Exemption Order 2003
- Rail Vehicle Accessibility (South West Trains Class 458 Vehicles) Exemption (Amendment) Order 2002
- Rail Vehicle Accessibility (South West Trains Class 458 Vehicles) Exemption (Amendment) Order 2004
- Rail Vehicle Accessibility (South West Trains Class 458 Vehicles) Exemption Order 2002
- Rail Vehicle Accessibility (Summerlee Tramcar No. 392) Exemption Order 2002
- Rail Vehicle Accessibility (The Chiltern Railway Company Limited Class 168/1 Vehicles) Exemption Order 2000
- Level Crossing Regulations 1997
- Weighing Equipment (Automatic Rail-Weighbridges) Regulations 2003
- Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996
- Noise Insulation (Railways and Other Guided Transport Systems) (Amendment) Regulations 1998

Moves

- Fire Precautions (Sub-surface Railway Stations) (Amendment) Regulations 1991
- Locomotives etc Regulations 1906 (Metrification) Regulations 1981

Additional “Lapsed or Spent”

Subject to formal legal confirmation the following 23 regulations, which have been identified as “lapsed or spent” (i.e. remaining on the Statute Book but having no practical legal effect), can also be scrapped.

Fares & Licensing

- British Railways (Penalty Fares) Act 1989 (Activating No. 1) Order 1990
- British Railways (Penalty Fares) Act 1989 (Activating No. 2) Order 1991
- British Railways (Penalty Fares) Act 1989 (Activating No.3) Order 1992
- Merseyside Passenger Transport Executive (Exclusion of Bus Operating Powers) Order 1986
- Railways Act 1993 (Consequential Modifications) (No. 2) Order 1994
- Railways Act 1993 (Consequential Modifications) (No. 3) Order 1994
- South East Lancashire and North East Cheshire Passenger Transport Area (Railway Passenger Services) Order 1971
- South Yorkshire Passenger Transport Area (Railway Passenger Services) Order 1975

Workers & Organisations

- British Transport Police Force Scheme 1963 (Amendment) Order 1994

Planning & Infrastructure

- Channel Tunnel Rail Link (Nomination) (Amendment) (No. 2) Order 2003
- Channel Tunnel Rail Link (Nomination) (Amendment) Order 2003
- Channel Tunnel Rail Link (Nomination) (Amendment) Order 2007
- Minister of Transport (Light Railways Procedure) (Amendment) Rules 1962
- Minister of Transport (Light Railways Procedure) Rules 1927
- Provisional Orders and other Matters under the Tramways Act 1870 (1892)

Standards & Safety

- Heathrow Airport–London Noise Insulation Grants Scheme 1989
- Rail Vehicle Accessibility (Gatwick Express Class 458 Vehicles) Exemption Order 2006
- Rail Vehicle Accessibility (North Western Trains Class 175/0 and Class 175/1 Vehicles) Exemption Order 2000
- Rail Vehicle Accessibility (South Central Class 375/3 Vehicles) Exemption Order 2002

Annex E

- Rail Vehicle Accessibility (South West Trains Class 170/3 Vehicles) Exemption (Amendment) Order 2000
- Rail Vehicle Accessibility (South West Trains Class 170/3 Vehicles) Exemption Order 2000
- Rail Vehicle Accessibility (The Chiltern Railway Company Limited Class 168/1 Vehicles) Exemption (No 2) (Amendment) Order 2000
- Rail Vehicle Accessibility (The Chiltern Railway Company Limited Class 168/1 Vehicles) Exemption (No 2) Order 2000