
Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, Paragraph 8. (See end of Document for details)

SCHEDULES

SCHEDULE 4

REVIEWS BY ORR OF ACCESS CHARGES AND LICENCE CONDITIONS

Noticed of proposed relevant changes following Competition Commission report

- 8 (1) In paragraph 12 (changes following report), after sub-paragraph (4) insert—
- “(4A) Where (after considering any representations and objections which are duly made and not withdrawn) the Office of Rail Regulation proposes to make relevant changes under this paragraph, it must give a notice to the relevant authorities which—
- (a) sets out everything that would have to be included in a notice under sub-paragraph (5) with respect to the proposed changes;
 - (b) specifies a period within which the Secretary of State, the Scottish Ministers or each of them has the opportunity of revising, in the light of those proposals, any information provided under paragraph 1D.
- (4B) If in consequence of any revision of that information that is notified to the Office of Rail Regulation within the period specified in that notice, that Office decides to modify its proposals, it must—
- (a) give a new notice with respect to the modified proposals under sub-paragraph (3); and
 - (b) comply again with sub-paragraph (4A) and this sub-paragraph before giving notice of the modified proposals to the Competition Commission.
- (4C) The relevant authorities for the purposes of sub-paragraph (4A) are each of the following—
- (a) where the Secretary of State was given notice of the review under paragraph 1C, the Secretary of State;
 - (b) where the Scottish Ministers were given notice of the review under that paragraph, those Ministers; and
 - (c) in each of those cases, the Treasury.”

(2) In sub-paragraph (5) of that paragraph, after “withdrawn” insert “ and any revisions of information provided under paragraph 1D that were notified within the period specified under sub-paragraph (4A) ”.

(3) After that sub-paragraph insert—

“(5A) A notice must not be given under sub-paragraph (5) before the end of the period specified in the most recent notice given in the case in question under sub-paragraph (4A) as the period during which the Secretary of State, the Scottish Ministers or each of them has the opportunity of revising information provided under paragraph 1D.”

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- (4) In sub-paragraph (6) of that paragraph (information to accompany notice sent to Competition Commission), at the end insert “ and a copy of any revisions of information provided under paragraph 1D that have been notified within the period specified in the notice under sub-paragraph (4A) ”.
- (5) In sub-paragraph (10) of that paragraph, for the words from “to the Authority” onwards substitute—
- “(a) where the Secretary of State was given notice of the review under paragraph 1C, to the Secretary of State; and
 - (b) where the Scottish Ministers were given notice of the review under that paragraph, to those Ministers.”

Commencement Information

II Sch. 4 para. 8 in force at 29.1.2007 by S.I. 2007/62, art. 2(2)(d)

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