

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Railways Act 1993 (c. 43). (See end of Document for details)

SCHEDULES

SCHEDULE 14

REGULATORS: USE OF POWERS UNDER THE 1998 ACT

Railways Act 1993 (c. 43)

11 The Railways Act 1993 is amended as follows.

Commencement Information

I1 Sch. 14 para. 11 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

12 (1) Section 55 (orders for securing compliance) is amended as follows.

(2) For subsection (5A) substitute—

“(5A) Before making a final order or making or confirming a provisional order, the Office of Rail Regulation shall consider whether it would be more appropriate to proceed under the Competition Act 1998.

(5AA) The Office of Rail Regulation shall not make a final order or make or confirm a provisional order if it considers that it would be more appropriate to proceed under the Competition Act 1998.”

(3) In subsection (5D)(b), for “(5A)” substitute “ (5AA) ”.

Commencement Information

I2 Sch. 14 para. 12 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

13 In section 57A (penalties), for subsection (6) substitute—

“(6) Before imposing a penalty under this section, the Office of Rail Regulation shall consider whether it would be more appropriate to proceed under the Competition Act 1998.

(7) The Office of Rail Regulation shall not impose a penalty under this section if it considers that it would be more appropriate to proceed under the Competition Act 1998.”

Commencement Information

I3 Sch. 14 para. 13 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

14 In section 67 (functions of the Office of Rail Regulation with respect to competition), in subsection (8), for the words from the beginning to “(3) above”

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substitute “ If any question arises as to whether subsection (2) or (3) above applies to any particular case ”.

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Commencement Information

I4 Sch. 14 para. 14 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

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