



Railways Act 1993

1993 CHAPTER 43

PART I

THE PROVISION OF RAILWAY SERVICES

Other functions of [^{F1}the Office of Rail and Road]

Textual Amendments

- F1** Words in s. 68 cross-heading substituted (16.10.2015) by virtue of [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), Sch. para. 1

68 Investigatory functions.

(1) Subject to subsection (2) below, it shall be the duty of [^{F2}the Office of Rail and Road] to investigate any alleged or apprehended contravention of—

(a) a condition of a licence ^{F3} . . . , ^{F4} . . .

^{F5}(b)

if the alleged or apprehended contravention is the subject of a representation (other than one appearing to him to be frivolous or vexatious) made to [^{F6}it] by or on behalf of a person who appears to [^{F2}the Office of Rail and Road] to have an interest in the matter.

(2) [^{F2}The Office of Rail and Road] may, if [^{F6}it] thinks fit, require [^{F7}the [^{F8}Passengers' Council]] to investigate and report to [^{F6}it] on any matter falling within subsection (1) above which relates to—

- (a) the provision of services for the carriage of passengers by railway, or
(b) the provision of station services,

and which it would otherwise have been [^{F9}its] duty to investigate.

*Changes to legislation: There are currently no known outstanding effects for the Railways Act 1993,
 Cross Heading: Other functions of the Office of Rail and Road. (See end of Document for details)*

Textual Amendments

- F2** Words in s. 68 substituted (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), **Sch. para. 1(pp)**
- F3** Words in s. 68(1)(a) repealed (24.7.2005) by [Railways Act 2005 \(c. 14\)](#), ss. 59, 60, **Sch. 13 Pt. 1** (with s. 14(4)(5), [Sch. 11 para. 11\(2\)](#)); S.I. 2005/1909, **art. 2**, Sch.
- F4** S. 68(1)(b) and word immediately preceding it repealed (1.2.2001) by 2000 c. 38, s. 274, **Sch. 31 Pt. IV**; S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in [Sch. 2 Pt. II](#))
- F5** S. 68(1)(b) omitted (1.2.2001) by virtue of 2000 c. 38, s. 234(7) (with [Sch. 28 paras. 12, 17](#)); S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in [Sch. 2 Pt. II](#))
- F6** Words in s. 68 substituted (5.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 16, 120, {[Sch. 2 para. 3\(b\) Table](#)}; S.I. 2004/827, **art. 4(g)**
- F7** Words in s. 68(2) substituted (24.7.2005) by [Railways Act 2005 \(c. 14\)](#), s. 21(2); S.I. 2005/1909, **art. 2**, Sch.
- F8** Words in s. 68(2) substituted (25.2.2010) by [The Passengers' Council \(Non-Railway Functions\) Order 2010 \(S.I. 2010/439\)](#), art. 1, **Sch. para. 6(2)**
- F9** Word in s. 68 substituted (5.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 16, 120, {[Sch. 2 para. 3\(c\) Table](#)}; S.I. 2004/827, **art. 4(g)**

Modifications etc. (not altering text)

- C1** S. 68 applied (with modifications) (28.11.2005) by [The Railway \(Licensing of Railway Undertakings\) Regulations 2005 \(S.I. 2005/3050\)](#), reg. 14, **Sch. 3 para. 1(d)**

69 General functions.

- (1) It shall be the duty of [^{F10}the Office of Rail and Road], so far as it appears to [^{F11}it] practicable from time to time to do so—
- (a) to keep under review the provision, both in Great Britain and elsewhere, of railway services; and
 - (b) to collect information with respect to the provision of those services, with a view to facilitating the exercise of [^{F12}its] functions under this Part.
- (2) The Secretary of State may give general directions indicating—
- (a) considerations to which [^{F10}the Office of Rail and Road] should have particular regard in determining the order of priority in which matters are to be brought under review in performing [^{F12}its] duty under subsection (1)(a) or (b) above; and
 - (b) considerations to which, in cases where it appears to [^{F10}the Office of Rail and Road] that any of [^{F12}its] functions under this Part are exercisable, [^{F11}it] should have particular regard in determining whether to exercise those functions.
- (3) It shall be the duty of [^{F10}the Office of Rail and Road], where either [^{F11}it] considers it expedient or [^{F11}it] is requested by the Secretary of State or [^{F13}the CMA] to do so, to give information, advice and assistance to the Secretary of State or [^{F13}the CMA] with respect to any matter in respect of which any function of [^{F10}the Office of Rail and Road] under this Part is exercisable.

^{F14}(4)

Changes to legislation: There are currently no known outstanding effects for the Railways Act 1993.
Cross Heading: Other functions of the Office of Rail and Road. (See end of Document for details)

Textual Amendments

- F10** Words in s. 69 substituted (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), **Sch. para. 1(qq)**
- F11** Words in s. 69 substituted (5.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 16, 120, {Sch. 2 para. 3(b) Table}; [S.I. 2004/827](#), **art. 4(g)**
- F12** Words in s. 69 substituted (5.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 16, 120, {Sch. 2 para. 3(c) Table}; [S.I. 2004/827](#), **art. 4(g)**
- F13** Words in s. 69(3) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), **Sch. 1 para. 106** (with art. 3)
- F14** S. 69(4) repealed (1.12.2006) by [Railways Act 2005 \(c. 14\)](#), ss. 59, 60, **Sch. 13 Pt. 1** (with s. 14(4)(5), [Sch. 11 para. 11\(2\)](#)); [S.I. 2006/2911](#) {art. 2}, Sch. (subject to the transitional and saving provisions in arts. 3-7)

F15⁷⁰

Textual Amendments

- F15** S. 70 repealed (1.2.2001) by [2000 c. 38](#), ss. 216, 274, [Sch. 17 para. 28\(2\)](#), **Sch. 31 Pt. IV**; [S.I. 2001/57](#), **art. 3(1)**, **Sch. 2 Pt. I** (subject to savings and transitional provisions in [Sch. 2 Pt. II](#))

71 Publication of information and advice.

- (1) [^{F16}The Office of Rail and Road] may arrange for the publication, in such form and in such manner as [^{F17}it] considers appropriate, of such information and advice as it may appear to [^{F17}it] expedient to give to users or potential users of railway services in Great Britain.
- (2) In arranging for the publication of any such information or advice [^{F16}the Office of Rail and Road] shall have regard to the need for excluding, so far as that is practicable—
- (a) any matter which relates to the affairs of an individual, where publication of that matter would or might, in the opinion of [^{F16}the Office of Rail and Road], seriously and prejudicially affect the interests of that individual; and
 - (b) any matter which relates specifically to the affairs of a particular body of persons, whether corporate or unincorporate, where publication of that matter would or might, in the opinion of [^{F16}the Office of Rail and Road], seriously and prejudicially affect the interests of that body.
- (3) [^{F18}The CMA] shall consult [^{F16}the Office of Rail and Road] before publishing under [^{F19}section 6 of the Enterprise Act 2002] any information or advice which may be published by [^{F16}the Office of Rail and Road] under this section.

Textual Amendments

- F16** Words in s. 71 substituted (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), **Sch. para. 1(rr)**
- F17** Word in s. 71 substituted (5.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 16, 120, {Sch. 2 para. 3(b) Table}; [S.I. 2004/827](#), **art. 4(g)**

Changes to legislation: There are currently no known outstanding effects for the Railways Act 1993,
Cross Heading: Other functions of the Office of Rail and Road. (See end of Document for details)

- F18** Words in s. 71(3) substituted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 107** (with art. 3)
- F19** Words in s. 71(3) substituted (20.6.2003) by 2002 c. 40, ss. 278, 279, Sch. 25 para. 30(11)(b); S.I. 2003/1397, **art. 2(1)**, Sch.

Changes to legislation:

There are currently no known outstanding effects for the Railways Act 1993, Cross Heading:
Other functions of the Office of Rail and Road.