



# Railways Act 1993

## 1993 CHAPTER 43

### PART I

#### THE PROVISION OF RAILWAY SERVICES

##### *Other functions of the Regulator*

#### **68 Investigatory functions**

- (1) Subject to subsection (2) below, it shall be the duty of the Regulator to investigate any alleged or apprehended contravention of—
  - (a) a condition of a licence, or
  - (b) a condition of a closure consent,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 him by or on behalf of a person who appears to the Regulator to have an interest in the matter.
- (2) The Regulator may, if he thinks fit, require a consultative committee to investigate and report to him 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 his duty to investigate.

#### **69 General functions**

- (1) It shall be the duty of the Regulator, so far as it appears to him 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 his functions under this Part.
- (2) The Secretary of State may give general directions indicating—

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*Status: This is the original version (as it was originally enacted).*

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- (a) considerations to which the Regulator should have particular regard in determining the order of priority in which matters are to be brought under review in performing his duty under subsection (1)(a) or (b) above; and
  - (b) considerations to which, in cases where it appears to the Regulator that any of his functions under this Part are exercisable, he should have particular regard in determining whether to exercise those functions.
- (3) It shall be the duty of the Regulator, where either he considers it expedient or he is requested by the Secretary of State or the Director to do so, to give information, advice and assistance to the Secretary of State or the Director with respect to any matter in respect of which any function of the Regulator under this Part is exercisable.
- (4) If the Regulator—
- (a) is requested to do so by the Franchising Director, or
  - (b) considers it appropriate to do so,
- he may provide the Franchising Director with any information which he has which relates to the functions of the Franchising Director.

## **70 Code of practice for protection of interests of rail users who are disabled**

- (1) The Regulator shall—
- (a) prepare and from time to time revise, and
  - (b) publish and otherwise encourage the adoption and implementation of,
- a code of practice for protecting the interests of users of railway passenger services or station services who are disabled.
- (2) In preparing or revising the code of practice, the Regulator shall consult the Disabled Persons Transport Advisory Committee, established under section 125 of the Transport Act 1985.

## **71 Publication of information and advice**

- (1) The Regulator may arrange for the publication, in such form and in such manner as he considers appropriate, of such information and advice as it may appear to him 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 the Regulator 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 the Regulator, 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 the Regulator, seriously and prejudicially affect the interests of that body.
- (3) The Director shall consult the Regulator before publishing under section 124 of the 1973 Act any information or advice which may be published by the Regulator under this section.