

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Railways Act 1993. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

^{F1}SCHEDULE 4A

REVIEW OF ACCESS CHARGES BY [^{F2}THE OFFICE OF RAIL AND ROAD]

Annotations:

Amendments (Textual)

- F1** Sch. 4A inserted (30.11.2000) by 2000 c. 38, ss. 231(2), 275(1), Sch. 24, Sch. 28 paras. 11, 17
- F2** Words in Sch. 4A 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(cc)(i)**

[^{F1}Duty to notify ORR about desired outputs and finances

Annotations:

Amendments (Textual)

- F1** Sch. 4A paras. 1-1H and cross-headings substituted for Sch. 4A para. 1 (29.1.2007) by Railways Act 2005 (c. 14), ss. 4, 60, **Sch. 4 para. 2** (with para. 11)

- 1D (1) Where a notice under paragraph 1C is given to the Secretary of State, he must provide [^{F2}the Office of Rail and Road] with—
- (a) information about what he wants to be achieved by railway activities in Great Britain as a whole during the review period; and
 - (b) such information as it is reasonable for him to provide about the public financial resources that are or are likely to become available to be applied during the review period for purposes that contribute (directly or indirectly) towards the achievement of what he wants.
- (2) Where a notice under paragraph 1C is given to the Scottish Ministers (whether instead of or as well as to the Secretary of State), they must provide [^{F2}the Office of Rail and Road] with—
- (a) information about what they want to be achieved by Scottish railway activities during the review period; and
 - (b) such information as it is reasonable for them to provide about the public financial resources that are or are likely to become available to be applied during that period for purposes that contribute (directly or indirectly) towards the achievement of what they want.
- (3) The information that may be provided as falling within sub-paragraph (1)(a) or (2)(a) includes objectives and standards to be achieved in the course of carrying on railway activities.
- (4) Those objectives and standards may include, in particular, objectives and standards with respect to any of the following matters—

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- (a) the capacity (in terms of types and numbers of trains) of networks;
 - (b) the frequency of railway passenger services;
 - (c) journey times;
 - (d) reliability of railway services (both in terms of punctuality and otherwise);
 - (e) the taking of measures to prevent or mitigate overcrowding;
 - (f) levels and types of fares;
 - (g) the quality of information provided to passengers;
 - (h) the accessibility of railway services to people with disabilities;
 - (i) the carrying out of major projects to improve railway services;
 - (j) the protection of persons from dangers arising from the operation of railways.
- (5) In a case where information is also required to be provided by the Scottish Ministers, the information that is required to be provided by the Secretary of State does not include—
- (a) any information about what he wants to be achieved by Scottish railway activities not relating to cross-border services; or
 - (b) information about any public financial resources so far as they appear to him to be available, or to be likely to become available, to be applied for purposes relating only to such activities.
- (6) An obligation of the Secretary of State or the Scottish Ministers to provide information under this paragraph—
- (a) must be discharged before the date set out in the notice given under paragraph 1C or, if a later date is fixed under sub-paragraph (7), by that later date; but
 - (b) may be discharged by a notification that refers that Office to information previously provided under this paragraph.
- (7) [^{F2}The Office of Rail and Road] may at any time, by notice to each of the persons to whom the notice under paragraph 1C was given, fix a later date for the provision of information under this paragraph.
- (8) Neither—
- (a) the Secretary of State, nor
 - (b) the Scottish Ministers,
- are required to provide information for the purposes of a review at any time after a decision has been made by [^{F2}the Office of Rail and Road] not to proceed with the review because of an actual or expected failure of the conditions set out under paragraph 1C(3)(c) to be satisfied.
- (9) In this paragraph “railway activities” means activities consisting in, or involving, any of the following—
- (a) providing railway services;
 - (b) making available railway facilities;
 - (c) making use of such facilities;
 - (d) using railway assets;
 - (e) allowing others to use such assets.
- (10) In this paragraph “Scottish railway activities” means activities which are railway activities by reference only to—
- (a) railway services which begin and end in Scotland;

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- (b) railway services in relation to which financial assistance is provided by the Scottish Ministers and which (without falling within paragraph (a)) begin or end in Scotland;
 - (c) railway facilities that are situated in Scotland; or
 - (d) railway assets so situated.
- (11) In this paragraph “public financial resources” means any of the following—
- (a) money charged on and payable out of the Consolidated Fund;
 - (b) money provided by Parliament;
 - (c) money payable out of the Scottish Consolidated Fund.]

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(3D) inserted by S.I. 2018/631 Sch. para. 2(3)
- s. 23(2ZD)(2ZE) inserted by S.I. 2018/631 Sch. para. 5(2)
- s. 24(3B) inserted by S.I. 2018/631 Sch. para. 6(2) (comes into force 2.00am on the 14/10/2018)
- s. 24(12B) inserted by S.I. 2018/631 Sch. para. 6(3) (comes into force 2.00am on the 14/10/2018)
- s. 26(4F)(aa) inserted by S.I. 2018/631 Sch. para. 8(4)
- s. 27(10A) inserted by S.I. 2018/631 Sch. para. 9(3)
- s. 55(7A)(aa) inserted by S.I. 2018/631 Sch. para. 13(5) (comes into force 2.00am on the 14/10/2018)
- s. 55(11C) inserted by S.I. 2018/631 Sch. para. 13(9) (comes into force 2.00am on the 14/10/2018)
- s. 57A(aa) inserted by S.I. 2018/631 Sch. para. 15(2) (comes into force 2.00am on the 14/10/2018)
- s. 59(6)(d) inserted by S.I. 2018/631 Sch. para. 18(2)(b) (comes into force 2.00am on the 14/10/2018)
- s. 59(6)(za)(ia) inserted by S.I. 2018/631 Sch. para. 18(2)(a) (comes into force 2.00am on the 14/10/2018)
- s. 73B inserted by S.I. 2018/631 Sch. para. 23 (comes into force 2.00am on the 14/10/2018)
- s. 74(3ZA) inserted by S.I. 2018/631 Sch. para. 24(3)
- s. 130(1ZA)–(1ZF) inserted by S.I. 2018/631 Sch. para. 28(3) (comes into force 2.00am on the 14/10/2018)
- s. 130(11B) inserted by S.I. 2018/631 Sch. para. 28(5) (comes into force 2.00am on the 14/10/2018)
- s. 135(3A) inserted by S.I. 2018/631 Sch. para. 29(2)
- s. 145(2)(gc) inserted by S.I. 2015/786 reg. 7(3)
- Sch. 7 para. 2(10) inserted by S.I. 2018/631 Sch. para. 33 (comes into force 2.00am on the 14/10/2018)