***Changes to legislation:** Railways Act 1993, Paragraph 1C is up to date with all changes known to be in force on or before 27 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

[F1]SCHEDULE 4A

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

Textual Amendments

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(ccc)(i)**

[[F1]Notice of access charges review

Textual Amendments

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 Sch. 4 para. 11)

1C (1) Before beginning an access charges review, [[F2]the Office of Rail and Road] must give notice of its proposal to undertake the review to each of the following—

(a) the Secretary of State;

(b) the Scottish Ministers;

(c) the Treasury;

(d) the parties to the access agreement in question; and

(e) such other persons as that Office considers appropriate.

(2) No notice is required to be given under sub-paragraph (1) to the Secretary of State or the Scottish Ministers—

(a) in the case of the Secretary of State, if the facility or installation to which the relevant agreement relates is situated wholly in Scotland; or

(b) in the case of the Scottish Ministers, if the facility or installation to which the relevant agreement relates is situated wholly in England and Wales.

(3) A notice under this paragraph must set out—

(a) the period to which [[F2]the Office of Rail and Road] expects the review to relate ("the review period");

(b) the date by which the Secretary of State, the Scottish Ministers or (as the case may be) each of them needs to provide the information that has to be provided under paragraph 1D; and

(c) any conditions which that Office requires to be satisfied in the period ending with that date if it is to proceed with the review.

(4) The period set out under sub-paragraph (3)(a) must be the one which—

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(a) begins with the time as from which **[**[F2]the Office of Rail and Road**]** expects that any changes resulting from the review would fall to be implemented; and

(b) ends with the time as from which it thinks it likely (in the absence of special circumstances making an earlier review appropriate) that any changes resulting from the next access charges review in relation to the same agreement and licence would fall to be implemented.

(5) The date set out under sub-paragraph (3)(b) must be not less than the following period after the date of the notice—

(a) in a case which **[**[F2]the Office of Rail and Road**]** is satisfied is a case of urgency, four weeks; and

(b) in any other case, three months.

(6) Before setting out a date under sub-paragraph (3)(b) that is less than three months after the date of the notice, **[**[F2]the Office of Rail and Road**]** must consult each of the persons to whom the notice is to be given.**]**

Changes to legislation:
Railways Act 1993, Paragraph 1C is up to date with all changes known to be in force on or before 27 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
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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. 13B(7) inserted by 2024 c. 13 Sch. 30 para. 18(5)
- s. 15C(5) inserted by 2024 c. 13 Sch. 30 para. 19(5)
- s. 16(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 6(4)(b) (as substituted) by S.I. 2019/1245 reg. 23 (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 67(11) inserted by 2024 c. 13 Sch. 29 para. 10
- s. 145(3)(w) inserted by 2024 c. 13 Sch. 30 para. 20(b)
- s. 145(3)(qu) omitted by 2024 c. 13 Sch. 30 para. 20(a)
- Sch. 4A para. 10A(7) inserted by 2024 c. 13 Sch. 30 para. 22(5)
- Sch. 4A para. 15(5) inserted by 2024 c. 13 Sch. 30 para. 23(5)