



Railways Act 1993

1993 CHAPTER 43

PART I

THE PROVISION OF RAILWAY SERVICES

Modification of licences

15 Modification following report

- (1) Where a report of the Monopolies Commission on a reference under section 13 above—
 - (a) includes conclusions to the effect that any of the matters specified in the reference operate, or may be expected to operate, against the public interest,
 - (b) specifies effects adverse to the public interest which those matters have or may be expected to have,
 - (c) includes conclusions to the effect that those effects could be remedied or prevented by modifications of the conditions of the licence, and
 - (d) specifies modifications by which those effects could be remedied or prevented,the Regulator shall, subject to the following provisions of this section, make such modifications of the conditions of that licence as appear to him requisite for the purpose of remedying or preventing the adverse effects specified in the report.
- (2) Before making modifications under this section, the Regulator shall have regard to the modifications specified in the report.
- (3) Before making modifications under this section, the Regulator shall give notice—
 - (a) stating that he proposes to make the modifications and setting out their effect,
 - (b) stating the reasons why he proposes to make the modifications, and
 - (c) specifying the period (not being less than 28 days from the date of publication of the notice) within which representations or objections with respect to the proposed modifications may be made,

Status: This is the original version (as it was originally enacted).

and shall consider any representations or objections which are duly made and not withdrawn.

- (4) A notice under subsection (3) above shall be given—
- (a) by publishing the notice in such manner as the Regulator considers appropriate for the purpose of bringing the matters to which the notice relates to the attention of persons likely to be affected by the making of the modifications; and
 - (b) by serving a copy of the notice on the holder of the licence.
- (5) As soon as practicable after making any modifications under this section, the Regulator shall send a copy of those modifications to the Health and Safety Executive.
- (6) Nothing in this section applies in relation to any term of a licence to the extent that it makes provision for the revocation or surrender of the licence.