



Channel Tunnel Rail Link (Supplementary Provisions) Act 2008

2008 CHAPTER 5

4 Power of Office of Rail Regulation to charge fees

After section 21 of the 1996 Act insert—

“21A Fees

- (1) Subject to this section, the Office of Rail Regulation may by notice require a rail link undertaker to pay a fee in respect of the exercise of any of the Office of Rail Regulation’s functions in relation to the rail link.
- (2) The amount of a fee under subsection (1) in any case shall be—
 - (a) such amount as is reasonably incurred by the Office of Rail Regulation in the exercise of the function in relation to the rail link, or
 - (b) in a case where there is more than one rail link undertaker, such proportion of the amount referred to in paragraph (a) as the Office of Rail Regulation considers it reasonable for the rail link undertaker to pay.
- (3) Subsection (1) does not apply to the functions assigned to the Office of Rail Regulation by virtue of section 67(2) and (3) of the Railways Act 1993.
- (4) A notice under this section must specify—
 - (a) the amount of the fee to be paid, and
 - (b) the date by which it is to be paid.
- (5) Any amount payable under a notice under this section which remains unpaid after the date specified in the notice may be recovered by the Office of Rail Regulation as a civil debt due to it.
- (6) The Office of Rail Regulation may revise a notice under this section by a further such notice.

Status: This is the original version (as it was originally enacted).

- (7) The Office of Rail Regulation may refund any amount which, further to any revised notice under subsection (6), appears to have been overpaid to it.”