

SCHEDULES

SCHEDULE 14

REGULATORS: USE OF POWERS UNDER THE 1998 ACT

Railways Act 1993 (c. 43)

- 12 (1) Section 55 (orders for securing compliance) is amended as follows.
- (2) For subsection (5A) substitute—
- “(5A) Before making a final order or making or confirming a provisional order, the Office of Rail Regulation shall consider whether it would be more appropriate to proceed under the Competition Act 1998.
- (5AA) The Office of Rail Regulation shall not make a final order or make or confirm a provisional order if it considers that it would be more appropriate to proceed under the Competition Act 1998.”
- (3) In subsection (5D)(b), for “(5A)” substitute “(5AA)”.