
STATUTORY INSTRUMENTS

2015 No. 786

The Railways Infrastructure (Access and Management) (Amendment) Regulations 2015

Enforcement

8.—(1) In regulation 28, after paragraph (3), insert—

“(3A) The Office of Rail Regulation may, as part of the intervention mentioned in paragraph (3), issue such directions to the applicant or the infrastructure manager as it considers appropriate for the purpose of ensuring that no contravention arises or, to the extent that a contravention has arisen, that it ceases.

(3B) Without prejudice to the right of any person to make an application to the court under Part 54 of the Civil Procedure Rules 1998⁽¹⁾, it is the duty of any person to whom a direction is given under paragraph (3A) to comply with and give effect to that direction.”

(2) At the end of regulation 29(2)(d), insert “and the Channel Tunnel charging framework”.

(3) In regulation 31, after “13”, insert “28(2) and (3)”.

(4) In regulation 36(1)(c), after the word “paragraphs”, insert “(2)(a), (4)(b), (4A)(b),”.

(5) After regulation 36(1)(d), insert—

“(dd) paragraph (3B) of regulation 28;”.

⁽¹⁾ S.I. 1998/3132. Relevant amending instruments are S.I. 2000/2092, 2002/2058, 2003/364, 2003/3361, 2005/352, 2005/3515, 2006/1689, 2007/3543, 2009/3390, 2010/2577, 2012/2208, 2013/262, 2013/1412, 2014/610 and 2014/1233 and the Constitutional Reform Act 2005 (c.4).