

*Status: Point in time view as at 05/07/2004.*

*Changes to legislation: There are currently no known outstanding effects for the Railways Act 1993, Cross Heading: The decision and the directions. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4 **E+W+S**

#### ACCESS AGREEMENTS: APPLICATIONS FOR ACCESS CONTRACTS

##### *The decision and the directions*

- 5 (1) [F1the Office of Rail Regulation] shall inform the applicant, the facility owner and any interested person of [F2its] decision on an application for directions.
- (2) If t [F1the Office of Rail Regulation] decides to give directions to the facility owner requiring him to enter into an access contract—
- (a) the directions shall specify—
    - (i) the terms of the access contract; and
    - (ii) the date by which the access contract is to be entered into; and
  - (b) [F1the Office of Rail Regulation] may also give directions to the applicant or the facility owner requiring him to pay compensation of such amount as may be specified in the directions to such interested person as may be so specified.
- (3) Any compensation directed to be paid by virtue of sub-paragraph (2)(b) above shall be recoverable as a debt due.
- (4) The facility owner shall be released from his duty to comply with the directions if the applicant fails to enter into an access contract on the terms required by the directions by the date specified for that purpose in the directions.

#### **Textual Amendments**

- F1** Words in Sch. 4 substituted (5.7.2004) by Railways and Transport Safety Act 2003 (c. 20), ss. 16, 120, {Sch. 2 para. 3(a) Table}; S.I. 2004/827, art. 4(g)
- F2** Words in Sch. 4 substituted (5.7.2004) by Railways and Transport Safety Act 2003 (c. 20), ss. 16, 120, {Sch. 2 para. 3(a) Table}; S.I. 2004/827, art. 4(g)

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