

**Changes to legislation:** Railways Act 1993, Paragraph 8 is up to date with all changes known to be in force on or before 22 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### <sup>F1</sup>SCHEDULE 4A

#### REVIEW OF ACCESS CHARGES BY [<sup>F1</sup>THE OFFICE OF RAIL AND ROAD]

##### Textual Amendments

- F1** Sch. 4A inserted (30.11.2000) by 2000 c. 38, ss. 231(2), 275(1), Sch. 24, Sch. 28 paras. 11, 17
- F1** Words in Sch. 4A substituted (16.10.2015) by The Office of Rail Regulation (Change of Name) Regulations 2015 (S.I. 2015/1682), reg. 1(2), **Sch. para. 1(cc)(i)**

*New review notice or [<sup>F1</sup>reference to CMA]*

##### Textual Amendments

- F1** Words in Sch. 4A para. 8 cross-heading substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 6 para. 81(2)**; S.I. 2014/416, art. 2(1)(d) (with Sch.)

- 8 (1) This paragraph applies if—
- (a) objections are duly made by a person within paragraph 4(4)(a) or (b) above (and not withdrawn); or
  - (b) although no objections are duly made by a person within paragraph 4(4)(a) or (b) above (or any that are so made are withdrawn), relevant objections are duly made (and not withdrawn) in relation to a similar review notice relating to another access agreement.
- (2) [<sup>F1</sup>the Office of Rail and Road] may—
- (a) give a new review notice under paragraph 4 above; or
  - (b) make a reference to the [<sup>F2</sup>CMA] under paragraph 9 below.
- (3) For the purposes of sub-paragraph (1) above—
- (a) “relevant objections”, in relation to another access agreement, means objections by a person who is within paragraph 4(4)(a) or (b) above in relation to that other access agreement; and
  - (b) one review notice is similar to another if they make provision which, in the opinion of [<sup>F1</sup>the Office of Rail and Road], is to broadly the same effect.
- (4) Before acting under sub-paragraph (1) above, [<sup>F1</sup>the Office of Rail and Road] shall consider the objections referred to in that sub-paragraph.
- [<sup>F3</sup>(4A) Paragraph 1H applies to the making of any determination by [<sup>F1</sup>the Office of Rail and Road] of what should be included in a new review notice to be given under this paragraph as it applies to the conduct of an access charges review.]

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- (5) If [<sup>F1</sup>the Office of Rail and Road] gives a new review notice under paragraph 4 above by virtue of sub-paragraph (2)(a) above, the references in that paragraph and paragraph 7(2) above to [<sup>F4</sup>its] conclusions on the access charges review shall be read in relation to the new notice as references to those conclusions as modified since the previous review notice (in particular as the result of any objections or representations made in relation to it).

#### Textual Amendments

- F1** Words in Sch. 4A paras. 4-9 substituted (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), **Sch. para. 1(cc)(ii)**
- F2** Word in Sch. 4A para. 8(2)(b) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 6 para. 81(3)**; S.I. 2014/416, art. 2(1)(d) (with Sch.)
- F3** Sch. 4A para. 8(4A) inserted (29.1.2007) by [Railways Act 2005 \(c. 14\)](#), ss. 4, 60, **Sch. 4 para. 6**; S.I. 2007/62, **art. 2**
- F4** Word in Sch. 4A substituted (5.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 16, 120, **Sch. 2 para. 3(c)** Table; S.I. 2004/827, **art. 4(g)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13B(7) inserted by [2024 c. 13 Sch. 30 para. 18\(5\)](#)
- s. 15C(5) inserted by [2024 c. 13 Sch. 30 para. 19\(5\)](#)
- s. 16(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 6(4)(b) (as substituted) by [S.I. 2019/1245 reg. 23](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 67(11) inserted by [2024 c. 13 Sch. 29 para. 10](#)
- s. 145(3)(w) inserted by [2024 c. 13 Sch. 30 para. 20\(b\)](#)
- s. 145(3)(qu) omitted by [2024 c. 13 Sch. 30 para. 20\(a\)](#)
- Sch. 4A para. 10A(7) inserted by [2024 c. 13 Sch. 30 para. 22\(5\)](#)
- Sch. 4A para. 15(5) inserted by [2024 c. 13 Sch. 30 para. 23\(5\)](#)