



# Railways Act 1993

## 1993 CHAPTER 43

### PART I **U.K.**

#### THE PROVISION OF RAILWAY SERVICES

##### *Modification of licences*

#### **12 Modification by agreement. **E+W+S****

(1) Subject to the following provisions of this section, the Regulator may modify the conditions of a licence if the holder of the licence consents to the modifications.

[<sup>F1</sup>(1A) The Regulator may not modify the conditions of a licence which relate to consumer protection unless the Authority also consents to the modifications.]

(1B) Where the Authority proposes to consent to modifications of such conditions, it shall give notice—

- (a) stating that it proposes to consent to the modifications and setting out their effect,
- (b) stating the reasons why it proposes to consent to the modifications, and
- (c) specifying the period (not being less than 28 days from the date of publication of the notice) within which representations or objections with respect to the proposed modifications may be made,

and shall, before giving consent, consider any representations or objections which are duly made and not withdrawn.

(1C) If the Authority consents to the modifications, it shall give a copy of any such representations or objections to the Regulator; and the Regulator shall consider them before making the modifications.]

(2) Before making modifications [<sup>F2</sup>of any conditions of a licence which do not relate to consumer protection], the Regulator shall give notice—

- (a) stating that he proposes to make the modifications and setting out their effect,
- (b) stating the reasons why he proposes to make the modifications, and

*Status: Point in time view as at 01/02/2001. This version of this provision has been superseded.*

*Changes to legislation: Railways Act 1993, Section 12 is up to date with all changes known to be in force on or before 04 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)*

- (c) specifying the period (not being less than 28 days from the date of publication of the notice) within which representations or objections with respect to the proposed modifications may be made,  
 and shall [<sup>F3</sup>, before making the modifications,] consider any representations or objections which are duly made and not withdrawn.
- (3) A notice under subsection [<sup>F4</sup>(1B) or] (2) above shall be given—
- (a) by publishing the notice in such manner as [<sup>F5</sup>the Authority, or the Regulator,] considers appropriate for the purpose of bringing the notice to the attention of persons likely to be affected by the making of the modifications; and
- (b) by serving a copy of the notice on the holder of the licence.
- (4) As soon as practicable after making any modifications under this section, the Regulator shall send a copy of those modifications to [<sup>F6</sup>the Authority and] the Health and Safety Executive.

#### Textual Amendments

- F1** S. 12(1A)-(1C) inserted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 6(2)** (with Sch. 28 paras. 2(5), 17); S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F2** Words in s. 12(2) substituted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 6(3)(a)** (with Sch. 28 paras. 2(5), 17); S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F3** Words in s. 12(12) inserted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 6(3)(b)** (with Sch. 28 paras. 2(5), 17); S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F4** Words in s. 12(3) inserted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 6(4)(a)** (with Sch. 28 paras. 2(5), 17); S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F5** Words in s. 12(3) substituted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 6(4)(b)** (with Sch. 28 paras. 2(5), 17); S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)
- F6** Words in s. 12(4) inserted (1.2.2001) by 2000 c. 38, s. 216, **Sch. 17 para. 6(5)** (with Sch. 28 paras. 2(5), 17); S.I. 2001/57, art. 3(1), **Sch. 2 Pt. I** (subject to savings and transitional provisions in Sch. 2 Pt. II)

**Status:**

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