



# Railways Act 1993

## 1993 CHAPTER 43

### PART I

#### THE PROVISION OF RAILWAY SERVICES

*<sup>F1</sup> Directions to provide, improve or develop railway facilities*

#### <sup>F1</sup>16E Decisions on applications: adequate reward.

- (1) [<sup>F2</sup>the Office of Rail Regulation] may only give a direction to a person under section 16A above to provide, improve or develop a railway facility if he is satisfied that the person will be adequately rewarded for providing, improving or developing the railway facility in accordance with the direction.
- (2) In considering whether he is so satisfied [<sup>F2</sup>the Office of Rail Regulation] shall take into account (in particular)—
  - (a) any receipts obtained or likely to be obtained by the person (from the Authority, passengers, operators of railway services or any other persons) in connection with, or as a result of, the provision, improvement or development of the railway facility; and
  - (b) any other benefit obtained or likely to be obtained by him in consequence of its provision, improvement or development.
- (3) Representations made by the applicant for a direction—
  - (a) under section 16C(4) above, or
  - (b) in response to an invitation under section 16D(4) above,may, in particular, include representations as to matters which he considers [<sup>F2</sup>the Office of Rail Regulation] should take into account in deciding whether the person to whom the direction would be given would be adequately rewarded for doing what it would require him to do.

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*Status: Point in time view as at 15/10/2005. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Railways Act 1993, Section 16E. (See end of Document for details)*

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#### Textual Amendments

- F1** S. 16E inserted (15.10.2005) by 2000 c. 38, **ss. 223, 275(1)**; S.I. 2005/2862, {art. 3}
- F2** S. 16E: words in prospectively inserted section substituted (5.7.2004) by virtue of [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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**Changes to legislation:**

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