



# Channel Tunnel Rail Link Act 1996

## 1996 CHAPTER 61

### PART I

#### THE CHANNEL TUNNEL RAIL LINK

##### *Functions of the Rail Regulator*

#### **22 Restriction of functions in relation to competition etc**

- (1) The Rail Regulator shall not be entitled to exercise any functions under section 67(1) of the Railways Act 1993 (under which he may be required to exercise the Director General of Fair Trading's consumer protection functions under Part III of the Fair Trading Act 1973, so far as relating to courses of conduct detrimental to consumers of railway services) in relation to a course of conduct persisted in by a rail link undertaker in relation to the supply of railway services, so far as relating to the rail link.
- (2) The functions of the Rail Regulator, so far as relating to monopoly situations which exist or may exist in relation to the supply of railway services, shall not be exercisable by him in relation to the supply by a rail link undertaker of railway services, so far as relating to the rail link.
- (3) The functions of the Rail Regulator, so far as relating to courses of conduct which have or are intended to have or are likely to have the effect of restricting, distorting or preventing competition in connection with the supply of railway services, shall not, in the case of a course of conduct pursued by a rail link undertaker, be exercisable by the Regulator by reference to the effect of the course of conduct on the supply of railway services, so far as relating to the rail link.
- (4) Section 67(4) of the Railways Act 1993 (duty of the Director General of Fair Trading to consult the Rail Regulator about the exercise of concurrent functions) shall not have effect to require the Director to consult the Regulator about the exercise of any function which the Regulator is prevented by subsection (2) or (3) above from exercising.
- (5) In this section, "railway services" has the same meaning as in the Railways Act 1993.