

## SCHEDULES

### SCHEDULE 17

#### TRANSFERS TO SRA FROM RAIL REGULATOR

##### PART I

##### FUNCTIONS RELATING TO LICENCES

##### *Modification*

- 6 (1) Section 12 (modification by agreement) is amended as follows.
- (2) After subsection (1) insert—
- “(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- and shall, before giving consent, consider any representations or objections which are duly made and not withdrawn.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.”
- (3) In subsection (2) (notice by Regulator)—
- (a) for “under this section” substitute “of any conditions of a licence which do not relate to consumer protection”, and
- (b) after “and shall” insert “, before making the modifications,”.
- (4) In subsection (3) (giving of notice)—
- (a) after “subsection” insert “(1B) or”, and
- (b) for “the Regulator” substitute “the Authority, or the Regulator,”.
- (5) In subsection (4) (Regulator to send copy of modifications to Health and Safety Executive), after “to” insert “the Authority and”.