
STATUTORY INSTRUMENTS

2019 No. 518

The Railways (Access, Management and Licensing of Railway Undertakings) (Amendments etc.) (EU Exit) Regulations 2019

PART 2

Amendment of subordinate legislation

21. In Schedule 3 (access charging)—

(a) in paragraph 1, in sub-paragraph (5), after “the infrastructure manager must” insert “, subject to sub-paragraphs (5A) and 5(B),”;

(b) after sub-paragraph (5) insert—

“(5A) For the purposes of the calculation of direct costs on a network-wide basis, referred to in paragraph 1 of Article 3 of the Commission Implementing Regulation referred to in sub-paragraph (5), the infrastructure manager may apply the costs of efficient service provision.

(5B) For the purposes of calculating the direct unit costs referred to in paragraph 1 of Article 5 of the Commission Implementing Regulation referred to in sub-paragraph (5), the infrastructure manager may modulate the average direct unit costs to take into account the different levels of wear and tear caused to the infrastructure according to one or more of the parameters listed in paragraph 2 of Article 5 of that Commission Implementing Regulation.”;

(c) in paragraph 6, in sub-paragraph (1), omit “Subject to the provisions of articles 101, 102, 106 and 107 of the Treaty, and”.

Commencement Information

I1 Reg. 21(b) in force at 29.3.2019, see reg. 1(3)(a)

I2 Reg. 21(a)(c) in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(3\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Railways (Access, Management and Licensing of Railway Undertakings) (Amendments etc.) (EU Exit) Regulations 2019, Section 21.