

Date of Request:	Request and ORR's response																							
26/02/08	<p>Request:</p> <p>Request for details of fines levied by ORR since 1997 (including date, company fine and the amount).</p> <p>ORR's response:</p> <p>Fines Levied by the Office of Rail Regulation (ORR) since 1997</p> <table border="1" data-bbox="289 575 1404 1829"> <thead> <tr> <th data-bbox="289 575 789 646">Company</th> <th data-bbox="794 575 1099 646">Fine</th> <th data-bbox="1104 575 1404 646">Year</th> </tr> </thead> <tbody> <tr> <td data-bbox="289 646 789 863">All Franchised passenger train operators in respect of answering targets for NRES (Condition 7 of Passenger train operator licences).</td> <td data-bbox="794 646 1099 863">£350,000</td> <td data-bbox="1104 646 1404 863">1997</td> </tr> <tr> <td data-bbox="289 863 789 1041">Railtrack PLC in respect of failure to deliver performance targets (Condition 7 of the Network Licence)</td> <td data-bbox="794 863 1099 1041">£7.9m</td> <td data-bbox="1104 863 1404 1041">2001</td> </tr> <tr> <td data-bbox="289 1041 789 1293">Network Rail Infrastructure Limited in respect of the accuracy of published information on infrastructure capability (Condition 7 of the Network Licence).</td> <td data-bbox="794 1041 1099 1293">£250,000</td> <td data-bbox="1104 1041 1404 1293">2006</td> </tr> <tr> <td data-bbox="289 1293 789 1583">English Welsh and Scottish Railway (Infringement of prohibition contained in Chapter II of the Competition Act 1998, resulting in exclusion of competitors from the coal haulage by rail market).</td> <td data-bbox="794 1293 1099 1583">£4.1m</td> <td data-bbox="1104 1293 1404 1583">2006</td> </tr> <tr> <td data-bbox="289 1583 789 1728">Network Rail (Contravention of Condition 7 of its Network licence)</td> <td data-bbox="794 1583 1099 1728">£2,400.000</td> <td data-bbox="1104 1583 1404 1728">2007</td> </tr> <tr> <td data-bbox="289 1728 789 1829">Network Rail (Breach of Network Licence)</td> <td data-bbox="794 1728 1099 1829">£14m</td> <td data-bbox="1104 1728 1404 1829">2008</td> </tr> </tbody> </table>			Company	Fine	Year	All Franchised passenger train operators in respect of answering targets for NRES (Condition 7 of Passenger train operator licences).	£350,000	1997	Railtrack PLC in respect of failure to deliver performance targets (Condition 7 of the Network Licence)	£7.9m	2001	Network Rail Infrastructure Limited in respect of the accuracy of published information on infrastructure capability (Condition 7 of the Network Licence).	£250,000	2006	English Welsh and Scottish Railway (Infringement of prohibition contained in Chapter II of the Competition Act 1998, resulting in exclusion of competitors from the coal haulage by rail market).	£4.1m	2006	Network Rail (Contravention of Condition 7 of its Network licence)	£2,400.000	2007	Network Rail (Breach of Network Licence)	£14m	2008
Company	Fine	Year																						
All Franchised passenger train operators in respect of answering targets for NRES (Condition 7 of Passenger train operator licences).	£350,000	1997																						
Railtrack PLC in respect of failure to deliver performance targets (Condition 7 of the Network Licence)	£7.9m	2001																						
Network Rail Infrastructure Limited in respect of the accuracy of published information on infrastructure capability (Condition 7 of the Network Licence).	£250,000	2006																						
English Welsh and Scottish Railway (Infringement of prohibition contained in Chapter II of the Competition Act 1998, resulting in exclusion of competitors from the coal haulage by rail market).	£4.1m	2006																						
Network Rail (Contravention of Condition 7 of its Network licence)	£2,400.000	2007																						
Network Rail (Breach of Network Licence)	£14m	2008																						

Further information on these fines are available on our website, at the following links:

Annex C of our economic enforcement policy statement sets out all the enforcement taken by ORR including all the monetary penalties applied (except for the last two entries on the above table): <http://www.rail-reg.gov.uk/upload/pdf/287a.pdf>

Please note that apart from the £14m penalty we announced on 28 February, which is subject to consideration of any representations we receive by 31 March 2008, the only other monetary penalty issued since the list in the above document was published relates to the planning of the re-signalling at Portsmouth (£2.4m fine, see the attached link for the press notice relating to this fine: <http://www.rail-reg.gov.uk/server/show/ConWebDoc.8903>

<http://www.rail-reg.gov.uk/server/show/nav.69>

<http://www.rail-reg.gov.uk/upload/pdf/enf-pmth-penalty-notice-060907.pdf>

<http://www.rail-reg.gov.uk/upload/pdf/352.pdf>

<http://www.rail-reg.gov.uk/server/show/ConWebDoc.8409>

Please note that on the 1 April 2006 in addition to our role as the economic regulator, the responsibility for regulating health and safety on railways was transferred from the Health and Safety Executive (HSE) to ORR: in effect the transfer of Her Majesty's Railway Inspectorate (HMRI) and railway safety policy.

However, details of fines issued for breaches of Health and Safety legislation have not been included. This is because such fines are decided by the Court.