

Changes made to ORR's model passenger track access contract on 19 July 2007

Relevant clause/paragraph	Amendment	Reason
Clause 1.1	Removal of definition of "Class A Local Output"	LOCs replaced
Clause 1.1	Replacement of definition of "Industry Committee" with "relevant ADRR Panel"	Reflects a change in the Network Code
Clause 1.1	Replacement of SRA with SoS in definition of "Franchise Agreement"	SRA replaced
Clause 1.1	Removal of definition of "Local Output"	LOCs replaced
Clause 1.1	Removal of definition of "ORR's LOC criteria"	LOCs replaced
Clause 1.1	Update of definition of "Relevant Losses"	ORR Schedule 8 Review
Clause 1.1	New definitions of "Safety Authorisation" and "Deemed Safety Authorisation"	New legislation
Clause 1.1	New definitions of "Safety Certificate" and "Deemed Safety Certificate"	New legislation
Clause 1.1	New definition of "SPP Threshold"	ORR Schedule 8 review
Clause 1.2	Insertion of reference to ROGs	New legislation
Clause 3.2	Insertion of reference to ROGs etc.	New legislation
Clause 9	Deleted	LOCs replaced
Clause 11.3 (a)	Replacement of reference to Class A LOC with reference to SPP Threshold	LOCs replaced

Relevant clause/paragraph	Amendment	Reason
Clause 11.5	Incorporation of SPP threshold	ORR Schedule 8 review
Clauses 13.1(d), 13.3.1(a), 13.3.2(b), 13.3.3(b),	Replacement of “Industry Committee” with “relevant ADRR Panel”	Reflects a change in the Network Code
Clause 13.4.2(b)	Deletion of reference to clause 9.	Clause 9 deleted
Clause 13.7 and 13.7.1 headings	Replacement of “Industry Committee” with “relevant ADRR Panel”	Reflects a change in the Network Code
Clauses 13.7.1 and 13.7.2	Replacement of “Industry Committee” with “relevant ADRR Panel”	Reflects a change in the Network Code
Clause 14.2 (b)	Replacement of SRA with SoS	SRA replaced
Clause 14.2 (c)	Deleted	HMRI incorporated into ORR
Clause 14.2(j)	Replacement of “Industry Committee” with “relevant ADRR Panel”	Reflects a change in the Network Code
Clause 15.2	Replacement of SRA with SoS	SRA replaced
Clause 15.3	Replacement of SRA with SoS	SRA replaced
Clause 16.3.3	Replacement of Customs and Excise with HM Revenue and Customs	Customs and Excise replaced
Clause 17.1	Deletion of reference to clause 17.9	LOCs replaced
Clause 17.3	Deletion of reference to LOC	LOCs replaced
Clause 17.9	Deletion of clause 17.9	LOCs replaced
Clause 18.4.1	Insertion of “recorded delivery”	Clarity

Relevant clause/paragraph	Amendment	Reason
Clause 18.6	Deletion of reference to LOC	LOCs replaced
Clause 18.7.3	Replacement of SRA with SoS	SRA replaced
Schedule 3, Paragraph 3	Addition of SoS	SRA replaced
Schedule 4, Part 3, paragraph 1.1	Amendments to definition of direct costs	Clarification agreed during SROU revision process.
Schedule 4, Part 3, paragraph 1.1	Amendment to definition of “First Working Timetable”, now reading “means, in respect of any day, the version of the Working Timetable for that day provided by Network Rail in accordance with Condition D3.2.7, as amended pursuant to Condition D3.2.9”	Outdated reference to D1.6.3. New definition in line with updated Network Code
Schedule 4, Part 3, paragraph 1.1	New definition of Operator Estimate	SROU revisions
Schedule 4, Part 3, paragraph 1.1	New definition of Operator Notice	SROU revisions
Schedule 4, Part 3, paragraph 1.1	Amendment to definition of SROU	SROU revisions
Schedule 4, Part 3, paragraph 1.5	Deletion of transitional arrangements covering the 2003/2004 timetable	Redundant
Schedule 4, Part 3, paragraphs 2.6 and 2.7	New SROU provisions	Clarification

Relevant clause/paragraph	Amendment	Reason
Schedule 4, Part 3, paragraphs 6.2(a), 6.2(b), 6.2(c), 8.4(d), 8.4(e), 16.1(d) and 16.1(e)	Replacement of “Industry Committee” with “relevant ADRR Panel”	Reflects a change in the Network Code
Schedule 5, paragraph 1.1	Amendment of definition of peak services to exclude public holidays from “weekdays”	Clarification
Schedule 5, paragraph 1.1	Definition of Weekday - “day” in lower case	Typo
Schedule 5, tables 2.1, 6.1, 6.3 and 8.2	Notes to Table amended to read “Explanatory Note” where appropriate	Clarity
Schedule 5, table 3.3, column 2	Amendment of column heading “earliest passenger train slots” by adding the words “(PTS) no later than” and of column heading “latest passenger train slots” by adding the words “(PTS) no earlier than”	Clarity, reinforcing explanation in paragraph 3.8
Schedule 5, paragraph 5.5	Amendment of paragraph on train length.	HSE no longer has the responsibility described in the original wording
Schedule 5, paragraph 7.12	Replacement of SRA with SoS	SRA replaced
Schedule 7, Part 1, paragraph 1	Definition of “Franchised Passenger Services”, replacement of SRA with SoS	SRA replaced
Schedule 7, Part 1, paragraph 1	Definition of “competent authority”, replacement of SRA with SoS	SRA replaced

Relevant clause/paragraph	Amendment	Reason
Schedule 7, Part 1, paragraph 1	Definition of “Fixed Track Charge” moved to correct place in alphabetical order	Typo
Schedule 7, Part 1, paragraph 1	Definition of “Index of Industrial Electricity Costs” amended to reflect DTI becoming the Department for Business, Enterprise & Regulatory Reform	DTI replaced
Schedule 7, Part 1, paragraph 1	SRA deleted and replaced with Secretary of State	SRA replaced
Schedule 7, Part 1, paragraph 1	Definition of “Railway Safety Charge” deleted.	No longer applicable
Schedule 7, Part 1, paragraph 1	Definition of “relevant access agreement”, replacement of SRA with SoS in two instances	SRA replaced
Schedule 7, Part 1, paragraph 1	Definition of “retail prices index”, replacement of SRA with SoS in two instances	SRA replaced
Schedule 7, Part 1, paragraph 3	Deletion of “Transitional Arrangements” relating to 03-04 timetable	Redundant
Schedule 7, Part 2, paragraph 1	Deletion of mentions of R_t	Railway Safety Charge no longer payable
Schedule 7, Part 2, paragraph 2.5.3(B) (aa)	Replacement of SRA with SoS	SRA replaced
Schedule 7, Part 2, paragraph 8	Deleted	Railway Safety Charge no longer payable

Relevant clause/paragraph	Amendment	Reason
Schedule 7, Part 2, paragraph 10(a)(iv)	Deleted and marked as "Not Used"	Railway Safety Charge no longer payable
Schedule 7, Part 3A, paragraph 2	Replacement of SRA with SoS in three instances	SRA replaced
Schedule 7, Part 3A, paragraph 3	Replacement of SRA with SoS	SRA replaced
Schedule 7, Part 6(f)	Deleted and marked as "Not Used"	Railway Safety Charge no longer payable
Schedule 7, Part 8	Deleted	The provisions of Part 8 have been replaced by equivalent provisions in the new Part J of the Network Code
Schedule 8, paragraph 1.1	Insertion of definition of "Capped Value"	ORR Schedule 8 Review
Schedule 8, paragraph 1.1	Amendment to definition of "First Working Timetable" to read means, in respect of any day, the version of the Working Timetable for that day provided by Network Rail in accordance with Condition D3.2.7, as amended pursuant to Condition D3.2.9	Outdated reference to D1.6.3. New definition in line with updated Network Code
Schedule 8, paragraph 1.4	Deletion of paragraph relating to 03-04 timetable	Redundant
Schedule 8, paragraph 4.1	"provision" should read "provisions"	Typo
Schedule 8, paragraph 4.4	"information" replaced with "notification"	Clarification
Schedule 8, paragraph 6.4	Addition of reference to paragraph 6.2	Reference should have been included originally

Relevant clause/paragraph	Amendment	Reason
Schedule 8, paragraph 9.1	Amendment of paragraph regarding Network Rail Performance Sums	ORR Schedule 8 Review
Schedule 8, paragraph 14.9	“sum” amended to read “sums”	Typo/clarification
Schedule 8, paragraph 17	Various amendments	ORR Schedule 8 Review / clarification
Schedule 8, paragraph 18	Insertion of a new paragraph “Compensation for sustained poor performance”	LOCs replaced by SPP
Schedule 8, paragraph 19	Insertion of a new paragraph “SPP Indexation”	LOCs replaced by SPP
Schedule 8, Appendix 3	Insertion of a new Appendix “SPP Threshold Values”	LOCs replaced by SPP
Schedule 10, paragraph 3.7	“on or before” replaced by “within 7 days of”	Consistency with Schedule 10 paragraph 3.6
Schedule 10, paragraph 4.7	Replacement of SRA with SoS	SRA replaced
Schedule 10, paragraph 4.8	“21” replaced by “28”	Consistency with clause 18.2.4 of the contract
Schedule 10, paragraph 4.8	Replacement of SRA with SoS	SRA replaced