

SCHEDULES

SCHEDULE 20

RAIL VEHICLE ACCESSIBILITY: COMPLIANCE

Regulations as to compliance assessments

- 3 (1) Regulations may make provision as to compliance assessments.
- (2) The regulations—
- (a) may make provision as to the person who has to have carried out the assessment;
 - (b) may (in particular) require that the assessment be one carried out by a person who has been appointed by the Secretary of State to carry out compliance assessments (an “appointed assessor”).
- (3) For the purposes of any provisions in the regulations made by virtue of subparagraph (2)(b), the regulations—
- (a) may make provision about appointments of appointed assessors, including (in particular)—
 - (i) provision for an appointment to be on application or otherwise than on application;
 - (ii) provision as to who may be appointed;
 - (iii) provision as to the form of applications for appointment;
 - (iv) provision as to information to be supplied with applications for appointment;
 - (v) provision as to terms and conditions, or the period or termination, of an appointment;
 - (vi) provision for terms and conditions of an appointment, including any as to its period or termination, to be as agreed by the Secretary of State when making the appointment;
 - (b) may make provision authorising an appointed assessor to charge fees in connection with, or incidental to, the carrying out of a compliance assessment, including (in particular)—
 - (i) provision restricting the amount of a fee;
 - (ii) provision authorising fees that contain a profit element;
 - (iii) provision for advance payment of fees;
 - (c) may make provision requiring an appointed assessor to carry out a compliance assessment, and to do so in accordance with any procedures that may be prescribed, if prescribed conditions (which may include conditions as to the payment of fees to the assessor) are satisfied;
 - (d) must make provision for the referral to the Secretary of State of disputes between—
 - (i) an appointed assessor carrying out a compliance assessment, and
 - (ii) the person who requested the assessment,

Status: This is the original version (as it was originally enacted).

relating to which provisions of rail vehicle accessibility regulations the vehicle is to be assessed against or to what amounts to conformity with any of those provisions.

- (4) For the purposes of sub-paragraph (3)(b) to (d) a compliance assessment includes pre-assessment activities (for example, a consideration of how the outcome of a compliance assessment would be affected by the carrying out of particular proposed work).