

2024 No. 0000

RETAINED EU LAW REFORM

RAILWAYS

**The Railways (Revocation and Consequential Provision)
Regulations 2024**

Sift requirements satisfied

Made - - - -

Laid before Parliament

Coming into force - - 4th March 2024

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 14(1) and 20(1)(b) of the Retained EU Law (Revocation and Reform) Act 2023 (“the 2023 Act”)(a).

The Secretary of State is a relevant national authority for the purposes of section 14(1) of the 2023 Act(b).

The requirements of paragraph 6(2) of Schedule 5 to the 2023 Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Railways (Revocation and Consequential Provision) Regulations 2024.

(2) These Regulations come into force on 4th March 2024.

(3) These Regulations extend to England and Wales and Scotland.

Revocation of certain instruments

2. The instruments listed in the Schedule are revoked in their entirety.

(a) 2023 c.28.

(b) The term “relevant national authority” is defined in section 21(1) of the Retained EU Law (Revocation and Reform) Act 2023.

Amendments to the Railways and Other Guided Transport Systems (Safety) Regulations 2006

3.—(1) The Railways and Other Guided Transport Systems (Safety) Regulations 2006(a) are amended as follows.

(2) In regulation 2 (interpretation and application), omit the definition of “European Union Agency for Railways”.

(3) In regulation 15 (revocation of safety certificate), omit paragraphs (6) and (7).

(4) In Schedule 2, in paragraph 1, in sub-paragraph (b), in paragraph (i), omit sub-paragraph (bb).

Amendments to the Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016

4.—(1) The Railways (Access, Management and Licensing of Railway Undertakings) Regulations 2016(b) are amended as follows.

(2) In regulation 6 (access to services), omit paragraph (14).

(3) In regulation 19 (capacity allocation), omit paragraph (19).

(4) In regulation 21 (framework agreements), omit paragraphs (17) to (21).

(5) In regulation 33 (regulatory decisions concerning international passenger services), omit paragraph (13).

Signed by authority of the Secretary of State for Transport

Date

Name
Minister of State
Department for Transport

(a) S.I. 2006/599. Relevant amendments are S.I. 2011/1043, 2011/1860, 2011/3066, 2013/950, 2015/1682, 2015/1917, 2019/837 and 2020/786.

(b) S.I. 2016/645. Relevant amendments are S.I. 2019/82, 2019/518 and 2019/1310.

SCHEDULE

Regulation 2

Instruments to be revoked

Title	Citation
Commission Implementing Regulation (EU) 2015/10 of 6 January 2015 on criteria for applicants for rail infrastructure capacity and repealing Implementing Regulation (EU) No 870/2014	EUR 2015/10(a)
Commission Implementing Regulation (EU) 2016/545 of 7 April 2016 on procedures and criteria concerning framework agreements for the allocation of rail infrastructure capacity	EUR 2016/545(b)
Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004	EUR 2016/796(c)
Commission Implementing Regulation (EU) 2017/2177 of 22 November 2017 on access to service facilities and rail-related services	EUR 2017/2177(d)
Commission Implementing Regulation (EU) 2018/764 of 2 May 2018 on the fees and charges payable to the European Union Agency for Railways and their conditions of payment	EUR 2018/764(e)
Commission Implementing Regulation (EU) 2018/867 of 13 June 2018 laying down the rules of procedure of the Board(s) of Appeal of the European Union Agency for Railways	EUR 2018/867(f)
Commission Implementing Regulation (EU) 2018/1795 of 20 November 2018 laying down procedure and criteria for the application of the economic equilibrium test pursuant to Article 11 of Directive 2012/34/EU of the European Parliament and of the Council	EUR 2018/1795(g)
Commission Decision (EU) 2018/2022 of 17 December 2018 drawing up a list of qualified experts for the Boards of Appeal of the European Union Agency for Railways (notified under document C (2018) 8561)	EUDN 2018/2022(h)
Commission Implementing Regulation (EU) 2020/424 of 19 March 2020 on submitting information to the Commission as regards non-application of technical specifications for interoperability in accordance with Directive (EU) 2016/797	EUR 2020/424(i)

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- (a) EUR 2015/10, amended by S.I. 2019/518.
 - (b) EUR 2016/545, amended by S.I. 2019/518.
 - (c) EUR 2016/796.
 - (d) EUR 2017/2177, amended by S.I. 2019/1310.
 - (e) EUR 2018/764.
 - (f) EUR 2018/867.
 - (g) EUR 2018/1795, amended by S.I. 2019/518 and 2019/1310.
 - (h) EUDN 2018/2022.
 - (i) EUR 2020/424.

Title	Citation
Commission Implementing Decision (EU) 2020/453 of 27 March 2020 on the harmonised standards for railway products drafted in support of Directive 2008/57/EC of the European Parliament and of the Council on the interoperability of the rail system within the Community	EUDN 2020/453(a)
Commission Implementing Regulation (EU) 2020/572 of 24 April 2020 on the reporting structure to be followed for railway accident and incident investigation reports	EUR 2020/572(b)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke 11 items of secondary assimilated law (as defined in section 21(1) of the Retained EU Law (Revocation and Reform) Act 2023 c.28) for Great Britain which make provision about the regulation of railways.

The revoked secondary assimilated law relates specifically to:

- (a) interoperability: four of these instruments relate to the establishment and operation of the European Agency for Railways. The Agency no longer has a role in Great Britain, and so these instruments are redundant. Two of these instruments relate to EU railway technical standards which no longer apply to Great Britain;
- (b) access to railway infrastructure and costs: four of these instruments make provision which relates to the charges relating to, and access to railway infrastructure and certain services. These instruments are considered unnecessarily prescriptive; and
- (c) accident investigation reports: one instrument which sets out requirements for the reports published by rail accident and incident investigators. The requirements in this instrument are considered unnecessarily prescriptive.

An impact assessment has not been produced for these Regulations as no, or no significant, impact on the private or voluntary sector is foreseen. An Explanatory Memorandum has been published alongside this instrument at www.legislation.gov.uk.

(a) EUDN 2020/453.
(b) EUR 2020/572.