

SCHEDULE 1

Regulation 4 (1) (c)

SAFETY MANAGEMENT SYSTEM

Requirements on the safety management system

1. The safety management system shall—
 - (a) describe the distribution of responsibilities, within the operation, for the safety management system;
 - (b) show how control of the safety management system by the management on different levels is secured;
 - (c) show how persons carrying out work or voluntary work directly in relation to the operation and their representatives on all levels are involved with the safety management system; and
 - (d) show how continuous improvement of the safety management system is ensured.

Basic elements of the safety management system

2. The basic elements of a safety management system are—
 - (a) a statement of the safety policy which has been approved by the chief executive and communicated to all persons carrying out work or voluntary work directly in relation to the operation;
 - (b) qualitative and quantitative targets for the maintenance and enhancement of safety and plans and procedures for reaching those targets;
 - (c) procedures to meet relevant technical and operational standards or other requirements as set out in—
 - (i) TSIs;
 - (ii) national safety rules;
 - (iii) other relevant safety requirements; and
 - (iv) decisions of the Department addressed to the railway operator in question,and procedures to ensure compliance with the requirements listed in this paragraph throughout the life-cycle of any relevant equipment or operation which is subject to the requirement in question.
 - (d) procedures and methods for carrying out risk evaluation and implementing risk control measures when—
 - (i) there is a change in the way in which the operation in question is carried out; or
 - (ii) new material is used in the operation in question,which gives rise to new risks in relation to any infrastructure or the operation being carried out;
 - (e) provision of programmes for training of persons carrying out work or voluntary work directly in relation to the operation and systems to ensure that the competence of such persons is maintained and that they carry out tasks accordingly;
 - (f) arrangements for the provision of sufficient information relevant to safety—
 - (i) within the operation in question; and
 - (ii) between the operator in question and any other railway operator or an applicant for a safety certificate or a safety authorisation who carries out or who intends to carry out operations on the same infrastructure;
 - (g) procedures and formats for the documentation of safety information;

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- (h) procedures to control the lay out of, and changes to, vital safety information;
- (i) procedures to ensure that accidents, incidents, near misses and other dangerous occurrences are reported, investigated and analysed and that necessary preventative measures are taken;
- (j) provisions of plans for action, alerts and information in the case of an emergency which are to be agreed with any public body, including the emergency services, that may be involved in such an emergency; and
- (k) provisions for recurrent internal auditing of the safety management system.

SCHEDULE 2

Regulation 5(1)(b)

APPLICATION FOR A SAFETY CERTIFICATE - INFORMATION TO BE INCLUDED FOR A SAFETY CERTIFICATE APPLICATION

1. The following information shall be included in relation to Part A of a safety certificate—
 - (a) particulars of the type and extent of the operation in respect of which the application is made; and
 - (b) either—
 - (i) a copy of a current certificate issued to the applicant by the Department, other than a deemed safety certificate, or a safety authority in another member State or in Great Britain under provisions giving effect to article 10(2)(a) of the Directive which relates to any equivalent railway operation; or
 - (ii) particulars of how the safety management system of the applicant meets the requirements set out in regulation 5(1) to (3).
2. The following information shall be included in relation to Part B of a safety certificate—
 - (a) information on the TSIs, national safety rules and other safety requirements relevant to the applicant's operation including those relevant to persons carrying out work in relation to the operation and the applicant's vehicles and an explanation of how compliance with these requirements is ensured by the safety management system;
 - (b) information on the different types of work being carried out by persons directly in relation to the operation including evidence of how the applicant ensures that when such persons are carrying out such work that they are doing so in accordance with the requirements of any relevant TSIs and national safety rules,

and where information is submitted concerning an interoperability constituent or a subsystem which is subject to and complies with the requirements of the Interoperability Regulations then only brief details need be supplied concerning compliance of such constituents or subsystems with relevant TSIs and other requirements of those Regulations and in this paragraph “interoperability constituent” and “subsystem” shall have the same meaning as in those Regulations.

SCHEDULE 3

Regulation 18(1)(c)

COMMON SAFETY INDICATORS

Indicators relating to accidents

1. Total and relative, to vehicle kilometres, number of—
 - (a) accidents and a break-down of the following types of accidents—
 - (i) collisions of vehicles, including collisions with obstacles within the loading gauge;
 - (ii) derailments of vehicles;
 - (iii) level crossing accidents which shall include accidents involving persons at level crossings;
 - (iv) accidents to persons caused by vehicles in motion except for suicides;
 - (v) suicides;
 - (vi) fires in vehicles; and
 - (vii) any other type of accidents, and each such accident shall be reported under the heading of the primary accident even where the consequences of any secondary accident are more severe such as where a fire follows a derailment.
 - (b) persons seriously injured or killed by type of accident divided into the following categories—
 - (i) passengers;
 - (ii) persons carrying out work or voluntary work directly in relation to the operation;
 - (iii) level crossing users;
 - (iv) unauthorised persons on premises of any railway; and
 - (v) any other types of person, and the number of passengers seriously injured or killed shall also be indicated in relation to the total number of passenger kilometres.

(2) The provisions of Regulation 91/2003 of the European Parliament and the Council of 16th December 2002 on rail transport statistics (1) shall be applied to any information provided under this paragraph.

Indicators relating to incidents and near-misses

2. Total and relative, to vehicle kilometres, number of—
 - (a) broken rails;
 - (b) buckled rails;
 - (c) wrong-side signalling failures;
 - (d) signals passed at danger; and
 - (e) broken wheels and axles on vehicles in service.

Indicators relating to consequences of accidents

- 3.—(1) Total and relative—
 - (a) to train kilometres, cost in Euros of all accidents, which shall include, where it is possible to provide such figures, the cost of the following—

(1) O.J. No. L14 of 21.1.03, p1

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- (i) deaths and injuries of persons;
 - (ii) compensation for loss of or damage to the property of passengers, persons carrying out work directly in relation to the operation or to its third parties including damage caused to the environment;
 - (iii) replacement or repair of damaged rolling stock and railway installations; and
 - (iv) delays, disturbances and re-routing of traffic including any additional costs to persons carrying out work directly in relation to the operation and the loss of future revenue.
- (b) to number of hours worked, number of working hours of persons carrying out work directly in relation to the operation which have been lost as a consequence of accidents.
- (2) In calculating the costs under sub-paragraph (1)(a), the amount of any indemnity or compensation recovered or expected to be recovered from third parties shall be deducted except for any relevant compensation recovered under insurance policies held by any railway operator.

Indicators relating to technical safety of infrastructure and its implementation

4. The—
- (a) percentage of tracks with a train protection system, in operation;
 - (b) percentage of train kilometres with a train protection system falling within paragraph (a) in operation;
 - (c) number of level crossings (total and total per kilometre of line); and
 - (d) percentage of level crossings with automatic or manual protection.

Indicators relating to the management of safety

5. Internal audits carried out by any railway operator pursuant to the procedures referred to in paragraph 2(k) of Schedule 1 and the number of such audits which have been carried out and that number expressed as a percentage of the audits which were planned for that year.

SCHEDULE 4

Regulation 4(4)(a)

WRITTEN SAFETY VERIFICATION SCHEME REQUIREMENTS

Information to be included in a safety verification scheme

1. The arrangements for the selection, appointment and retention of the competent person, which arrangements should provide for:
 - (a) the appointment of the competent person at an early stage in the design selection process; and
 - (b) the involvement of the competent person in the establishing of the criteria to be applied in the verification process and the design selection process; and
 - (c) the communication to the competent person of information necessary for the proper implementation, or revision, of the verification scheme and which information is necessary in order for the competent person to undertake the verification.
2. The arrangements for the examination provide for:

- (a) the means of controlling risks that arise during the carrying out of any testing or trials prior to first placing into service; and
 - (b) the standards and criteria to be applied in the verification process.
- 3. The arrangements for the review and revision of the verification scheme.
- 4. The arrangements for the making and preservation of records showing—
 - (a) the examination and testing carried out to the new or altered vehicles or infrastructure prior to its first being placed into service;
 - (b) the findings of that examination and testing;
 - (c) any remedial action recommended as a result of that examination and testing; and
 - (d) any remedial action performed.
- 5. The arrangements for communicating the matters contained in sub-paragraphs (1) to (4) of this Schedule to an appropriate level in the management system of any railway operator [or responsible person as the case may be.

SCHEDULE 5

Regulation 29

TRANSITIONAL PROVISIONS

1. Where a person is undertaking a relevant operation on 30th June 2006 it shall, to the extent that the operation is undertaken in the same place as it was on that date, be sufficient compliance by him with the appropriate provisions of regulations 3(1) and (2) if the safety requirements referred to in those provisions are prepared and accepted within 2 years after that date.
2. Where a relevant operation is not being undertaken on 30th June 2006 in consequence of normal operating schedules, maintenance, repair or an emergency, the operation shall nevertheless be treated for the same purposes of paragraph 1 as being undertaken on that date.
3. In this Schedule “relevant operation” means the activity which would, apart from this Schedule, be prohibited by those regulations.