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STATUTORY RULES OF NORTHERN IRELAND

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**2006 No. 237**

**THE RAILWAYS (SAFETY MANAGEMENT)  
REGULATIONS (NORTHERN IRELAND) 2006**

**PART III**

**GENERAL DUTIES**

**Sending, issuing and keeping of documents and making them available for public inspection**

**19.**—(1) Any application, notice, report or any other information sent to the Department or records made pursuant to these Regulations shall be in writing and in English.

(2) Any certificate, authorisation, notice, direction, request for information, statement or report issued by the Department pursuant to these Regulations shall be in writing, and in English.

(3) An applicant who makes an application in respect of a safety certificate or a safety authorisation pursuant to regulations 5, 7, 8 or 10 shall when sending the application, notify the Department of an address in Northern Ireland for the purposes of this regulation (“notified address”)

(4) Subject to paragraphs (5) and (6), a railway operator shall keep at the notified address in relation to the operation in question—

- (a) the safety certificate or safety authorisation issued in response to his application for such certificate or authorisation and the documentation referenced in that safety certificate or safety authorisation;
- (b) any notice of amendment issued pursuant to Part 2 in relation to his safety certificate or safety authorisation;
- (c) any records he is required to make pursuant to regulation 18(4) and (5);
- (d) any safety annual report sent to the Department under regulation 19(1)
- (e) any notification of changes or of a revision notified to the Department under regulation 11; and
- (f) a record of any findings of internal safety auditing carried out pursuant to the procedures referred to in paragraph 2(k) of Schedule 1 and of any action taken in consequence of such auditing,

or a hard or electronic copy of such documents.

(5) The documents referred to in paragraph (4) shall be kept as long as they—

- (a) are or are a copy of the current safety certificate or safety authorisation or a notice of amendment thereof;
- (b) are or are a copy of a notification of a major change or a revision which is relevant to the current operation of any railway;
- (c) relate to the information on the basis of which the Department’s acceptance referred to in regulation 5(4) or 8(3), as the case may be, was made in relation to a current safety certificate or safety authorisation; or

(d) relate to a risk assessment, as reviewed from time to time, carried out pursuant to regulation 18.

(6) The documents kept pursuant to paragraph (4)(d) or (f) shall be kept for 5 years and the documents kept pursuant to sub-paragraphs (a), (b), (d) and (e) of paragraph (4) shall, subject to paragraph (7), be made available for public inspection at the notified address at reasonable times and on reasonable notice.

(7) Nothing in paragraph (6) shall require the disclosure of any information—

- (a) relating to a named individual;
- (b) which is commercially confidential; or
- (c) which is detrimental to national security or to the security of any railway.

(8) A person who has a notified address may subsequently notify the Department of a different address in Northern Ireland and in this case references in this regulation to the notified address shall be construed as a reference to the last address notified under this paragraph.