
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 237

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

PART II

SAFETY MANAGEMENT, CERTIFICATION AND AUTHORISATION

Amended safety certificate

6.—(1) Where it is proposed that the type or extent of an operation in respect of which a safety certificate has been issued is to be substantially changed then the holder of the safety certificate shall apply to the Department for the safety certificate to be amended accordingly and the substantial change shall not be made until the safety certificate is so amended.

(2) An application for an amended safety certificate under this regulation shall—

- (a) provide details of the change proposed;
- (b) provide details of any consequential changes to any information sent to the Department in respect of the operation which remains relevant to that operation; and
- (c) clearly indicate in respect of which part of the safety certificate any information is provided.

(3) Where Part A of a safety certificate in respect of which an application is made falls within regulation 5(2) then the Department shall—

- (a) consider whether the Part A in question would still be for an equivalent operation if the change were made; and
- (b) if it considers that it would not be equivalent, notify the applicant in accordance with paragraph (4) that it has refused the application and that he should apply for a new safety certificate under regulation 5 if he wants to make the proposed change,

except that, in relation to Part B of the safety certificate, he only need provide the details set out in paragraph (2).

(4) Subject to regulation 15(6), within four months of the date of receipt of the application the Department shall—

- (a) issue a notice making any necessary amendments to the matters set out in the safety certificate; or
- (b) notify the applicant that it has refused the application,

and in either case shall give reasons for its decision.