STATUTORY RULES OF NORTHERN IRELAND

2016 No. 420

The Railways Infrastructure (Access, Management and Licensing of Railway Undertakings) Regulations (Northern Ireland) 2016

PART 4

INFRASTRUCTURE CHARGES

Infrastructure costs and accounts

15.—(1) The Department must ensure that, under normal business conditions and over a reasonable time period, which must not exceed five years, the accounts of an infrastructure manager shall at least balance—

(a) income from infrastructure charges;

(b) surpluses from other commercial activities;

(c) non-refundable incomes from private sources; and

(d) state funding, including, where appropriate, advanced payments from the state.

with railway infrastructure expenditure.

(2) The infrastructure manager must enter into an agreement with the Department which must fulfil the basic parameters of Annex V of the Directive, and cover a period of not less than five years.

(3) The infrastructure manager must, with due regard to safety and to maintaining and improving the quality of the infrastructure service, be provided with incentives to reduce the costs of provision of infrastructure and the level of access charges.

(4) In fulfilling its obligations under paragraph (2), the Department must base its decision on an analysis of the achievable cost reductions.

(5) The infrastructure manager must develop and maintain a register of its assets and the assets it is responsible for managing insofar as this information would be used to assess the funding needed to repair or replace such assets.

(6) The register referred to in paragraph (5) must be accompanied by details of expenditure on renewal and upgrading of the infrastructure.

(7) The infrastructure manager must establish a method for apportioning costs to the different categories of services offered by the railway undertakings, which must be updated from time to time on the basis of best international practice.

(8) Where required by the Department, the infrastructure manager must seek prior approval for the method of apportioning costs referred to in paragraph (7).