
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 420

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

PART 1

PRELIMINARY

Scope

3.—(1) These regulations apply to domestic and international rail traffic.

(2) Subject to paragraphs (3) and (6), Parts 2 and 3 (save for regulation 13), regulations 14(6) and (7), 15, 19(3), 33 and Schedule 1 lay down the rules applicable to—

- (i) the management of railway infrastructure;
- (ii) the rail transport activities of the railway undertakings established or to be established in an EEA State; and
- (iii) the licensing of railway undertakings and groupings in respect of international services and international combined transport goods services which they operate.

(3) The provisions referred to in paragraph (2) do not apply to railway undertakings whose activity is limited to the provision of solely urban, suburban or regional services on local and regional stand-alone networks for transport services on railway infrastructure or on networks intended only for the operation of urban or suburban rail services.

(4) Notwithstanding paragraph (3), the following regulations apply where a railway undertaking referred to in that paragraph is under the direct or indirect control of an undertaking or another entity performing or integrating rail transport services other than urban, suburban or regional services—

- (a) regulation 8;
- (b) regulation 9, with regard to the relationship between the railway undertaking and the undertaking or entity which controls it, directly or indirectly; and
- (c) regulations 12(4) to (7).

(5) Subject to paragraphs (6) and (7), regulation 13, Parts 4 to 6 and Schedules 2, 3 and 5, lay down the principles and procedures applicable to—

- (a) the setting and collection of railway infrastructure charges; and
- (b) the allocation of railway infrastructure capacity.

(6) The following provisions do not apply to the networks listed in paragraph (7)—

- (a) regulation 5;
- (b) regulation 10;
- (c) regulation 11;

- (d) regulation12;
 - (e) regulation 13;
 - (f) Parts 4 to 6; and
 - (g) Schedules 2, 3 and 5.
- (7) The networks referred to in paragraph (6) are–
- (a) local and regional stand-alone networks for passenger services on railway infrastructure;
 - (b) networks intended only for the operation of urban or suburban rail passenger services;
 - (c) until such time as capacity is requested by another applicant, regional networks used for regional freight services solely by a railway undertaking referred to in paragraph (3); or
 - (d) privately owned railway infrastructure that exists solely for use by the infrastructure manager for its own freight operations.