

---

STATUTORY INSTRUMENTS

---

**2005 No. 3050**

**The Railway (Licensing of Railway Undertakings) Regulations 2005**

**PART 2**

**[<sup>F1</sup>Railway Undertaking] LICENCES**

**Appointment of licensing authority and grant of [<sup>F1</sup>railway undertaking] licences**

- 6.—(1) The ORR is <sup>F2</sup>... the body responsible for granting [<sup>F3</sup>railway undertaking] licences.
- (2) The ORR shall determine and publish on its website the procedures for the granting of [<sup>F4</sup>railway undertaking] licences <sup>F5</sup>...
- (3) Subject to and in accordance with these Regulations, the ORR shall grant a [<sup>F6</sup>railway undertaking] licence to a railway undertaking if that undertaking—
- <sup>F7</sup>(a) .....
- (b) makes an application to the ORR in accordance with the published procedures.
- (4) A [<sup>F8</sup>railway undertaking] licence may authorise the provision of train services generally or be restricted to particular types of service specified in the licence.
- <sup>F9</sup>(4A) .....
- (5) An applicant shall submit with his application such application fee as the ORR may reasonably require and such information, specified in the published procedures referred to in paragraph (3)(b), as the ORR reasonably requires in order to be satisfied that the applicant satisfies the requirements referred to in Schedule 2.
- (6) At any time after submitting the application the applicant shall submit such further information as the ORR may reasonably require in connection with the application.
- (7) The ORR shall grant a [<sup>F10</sup>railway undertaking] licence if, and only if, it is satisfied before the start of the applicant's activities that the applicant will be able at any time to satisfy the requirements referred to in Schedule 2 as to good repute, financial fitness, professional competence and insurance cover for civil liabilities.
- (8) An application for a [<sup>F10</sup>railway undertaking] licence shall be determined by the ORR as soon as possible and in any event within three months of receipt of all the information referred to in paragraphs (5) and (6).
- (9) In respect of each application for a [<sup>F10</sup>railway undertaking] licence the ORR shall give notice stating—
- (a) that the applicant has made an application for a [<sup>F10</sup>railway undertaking] licence;
- (b) the name of the applicant and the address of its registered or principal office; and

- (c) a summary of the activities which the applicant wishes to carry out pursuant to the [<sup>F10</sup>railway undertaking] licence.
- (10) A notice under paragraph (9) shall be given by publishing the notice in such manner as the ORR considers appropriate for bringing it to the attention of persons likely to be affected by the grant of the [<sup>F10</sup>railway undertaking] licence.
- (11) The ORR shall [<sup>F11</sup>without delay] inform the applicant of its decision and, where it refuses to grant a [<sup>F10</sup>railway undertaking] licence, the refusal shall state the reasons for its decision.
- (12) When the ORR grants a [<sup>F12</sup>railway undertaking licence] in accordance with this regulation it shall forthwith inform the [<sup>F13</sup>Secretary of State] of the grant.
- (13) Any sums received by the ORR under this regulation shall be paid into the Consolidated Fund.
- (14) Schedule 2 (qualifications for [<sup>F14</sup>railway undertaking] licence) shall have effect.

- F1** Words in reg. 6 heading substituted (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(2)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 6(1) omitted (31.12.2020) by virtue of [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(3)(a)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 6(1) substituted (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(3)(b)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in reg. 6(2) substituted (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(4)(a)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in reg. 6(2) omitted (31.12.2020) by virtue of [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(4)(b)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in reg. 6(3) substituted (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(5)(a)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Reg. 6(3)(a) omitted (31.12.2020) by virtue of [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(5)(b)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Words in reg. 6(4) substituted (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(6)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Reg. 6(4A) omitted (31.12.2020) by virtue of [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(7)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in reg. 6(7)-(11) substituted (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(8)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in reg. 6(11) inserted (29.7.2016) by [The Railways \(Access, Management and Licensing of Railway Undertakings\) Regulations 2016 \(S.I. 2016/645\)](#), regs. 1(1), **39(5)(b)** (with reg. 4)
- F12** Words in reg. 6(12) substituted (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **8(9)(a)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)

- F13** Words in reg. 6(12) substituted (31.12.2020) by The Railway (Licensing of Railway Undertakings) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/700), regs. 1(2), **8(9)(b)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in reg. 6(14) substituted (31.12.2020) by The Railway (Licensing of Railway Undertakings) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/700), regs. 1(2), **8(10)** (with regs. 32-39); 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Railway (Licensing of Railway Undertakings) Regulations 2005, Section 6.