

STATUTORY INSTRUMENTS

2011 No. 3066

The Railways (Interoperability) Regulations 2011

PART 1

Interpretation and Application

Application

3.—(1) Subject to paragraphs (2) and (5), these Regulations apply to—

- [^{F1}(a) the rail system;]
- (b) subsystems located, operated or intended to be operated in the United Kingdom; and
- (c) interoperability constituents.

(2) These Regulations do not apply to any part of the rail system that the Secretary of State determines falls within one or more of these categories—

- (a) metros, trams and other light rail systems;
- (b) networks that are functionally separate from the rest of the rail system and intended only for the operation of local, urban or suburban passenger services, as well as railway undertakings operating solely on these networks;
- (c) infrastructure and vehicles reserved for a strictly local, historical or touristic use.

(3) A person may make an application to the Secretary of State for a determination under paragraph (2) and the Secretary of State must consider any such application.

(4) The Secretary of State must publish and keep up to date a list of the parts of the rail system that are excluded from the scope of these Regulations by virtue of determinations made under paragraph (2).

(5) These Regulations do not apply to—

- (a) privately owned railway infrastructure and vehicles exclusively used on such infrastructure that exist solely for use by the owner for its freight operations; or
- (b) railways the lines of which have a gauge of less than 350 millimetres and vehicles running on such lines.

(6) Paragraphs (2) and (5)(a) are subject to the voluntary arrangements provided for in regulation 5(1)(b) and (c).

(7) References in this regulation to the Secretary of State shall in their application to Northern Ireland have effect as references to [^{F2}DFI].

Textual Amendments

- F1** Reg. 3(1)(a) substituted (31.12.2020) by [The Railways \(Interoperability\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/345\)](#), regs. 1(2), **2(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: *There are currently no known outstanding effects for the The Railways (Interoperability) Regulations 2011, Section 3. (See end of Document for details)*

F2 Word in reg. 3(7) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

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