
STATUTORY INSTRUMENTS

2011 No. 3066

The Railways (Interoperability) Regulations 2011

PART 2

Subsystems

Application for authorisation

5.—(1) A person may apply for an authorisation in respect of any structural subsystem to be placed in service if—

- (a) the authorisation is required under regulation 4(1);
- (b) an authorisation is not required under regulation 4(1) because regulation 3(2) or (5)(a) applies, but the person nevertheless wants an authorisation; or
- (c) an authorisation is not required under regulation 4(1) because regulation 4(1)(c) applies, but the person nevertheless wants an authorisation.

(2) In order for an application to be valid it must be made in writing to the Safety Authority and be accompanied by—

- (a) the technical file compiled in accordance with regulation 17; and
- (b) the verification declaration.

(3) Subject to paragraph (4), in considering an application the Safety Authority must not require checks already carried out under the verification assessment procedure to be carried out again.

(4) The Safety Authority may require such additional checks which the Safety Authority considers necessary in relation to the project subsystem if that subsystem appears to the Safety Authority not to meet the essential requirements.

(5) Where additional checks are required under paragraph (4) the Safety Authority must—

- (a) inform the applicant that the application cannot be determined before the additional checks are carried out; and
- (b) notify the Secretary of State in writing forthwith of the additional checks it requires and the reasons for requiring those checks.

(6) Paragraphs (2) and (4) are subject to regulations 6, 9 and 10.

(7) Paragraph (5)(b) does not apply to DRDNI.

(8) Paragraph (1)(c) does not apply in relation to the Channel Tunnel system.