

Transposition Note

Directive 2001/14/EC was originally implemented, in relation to Great Britain, by the Railways Infrastructure (Access and Management) Regulations 2005 (SI 2005/3049) and the Channel Tunnel (International Arrangements) Order 2005 (SI 2005/3207). Separate instruments were made in relation to Northern Ireland.

That implementation is changed by the Channel Tunnel (International Arrangements) (Charging Framework and Transfer of Economic Regulation Functions) Order 2015 (the Order) and the Railways Infrastructure (Access and Management) (Amendment) Regulations 2015 (the Regulations). Among other things, these revoke the 2005 Order mentioned above, and amended the 2005 Regulations mentioned above. One of those amendments extends the scope of those Regulations to the Channel Tunnel.

This transposition note only deals with the new provisions made by the above instruments. Reference is made to the transposition notes published alongside SI 2005/3049 and 2005/3207 in respect of the implementation of the other provisions.

The Directive is recast by Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area, OJ L 343, 14.12.2012, p. 32, which requires implementation by 16 June 2015.

Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification, OJ L 75, 15.3.2001, p. 29

Article	Corresponding Article in Directive 2012/34/EU	Copy-out	If no copy-out, reason for elaboration	Domestic provision
4(1)	29(1)	No	The provision requires Member States to elaborate.	- Article 3 of the Order; - Article 6 of the bi-national regulation in the Schedule to the Order; - charging framework in the Annex to that bi-national regulation.

6(5)	30(8)	Yes		<ul style="list-style-type: none"> - Article 3 of the Order - Article 6 of the bi-national regulation in the Schedule to the Order; - Article 6 of the charging framework the Annex to that bi-national regulation.
Articles 7 and 8	31 and 32	No	Need to follow the wording of existing legislation with which stakeholders are familiar.	Regulation 5 of the Regulations, amending regulation 12 of and Schedule 3 to the 2005 Regulations.
30(3) and (4)	Art 56(2) and (8)	No	Need to follow the wording of existing legislation with which stakeholders are familiar.	Regulation 8 of the Regulations, amending regulations 28, 29, 31 and 36 of the 2005 Regulations.
31	57	Only partially	<ul style="list-style-type: none"> - Following the wording of existing legislation with which stakeholders are familiar. - Need to adapt implementation to the particular circumstances of the Tunnel. 	<ul style="list-style-type: none"> - Article 3 of the Order - Article 3 of the bi-national regulation in its Schedule. - Regulation 7 of the Regulations, amending regulation 39 of the 2005 Regulations and the Railways Act 1993.

