
STATUTORY RULES OF NORTHERN IRELAND

2010 No. 132

The Train Driving Licences and Certificates
Regulations (Northern Ireland) 2010

PART 1
GENERAL

Citation and commencement

1.—(1) These Regulations may be cited as the Train Driving Licences and Certificates Regulations (Northern Ireland) 2010.

(2) These Regulations come into operation on 10th May 2010 but will have effect in accordance with the transitional provisions in regulation 41.

Commencement Information

II [Reg. 1](#) in operation at 10.5.2010, see [reg. 1\(2\)](#)

Interpretation

2.—(1) In these Regulations—

“the 1978 Order” means the Health and Safety at Work (Northern Ireland) Order 1978(1);

“the Agency” means the European Railway Agency established by Regulation (EC) No 881/2004 of the European Parliament and of the Council establishing a European Railway Agency(2);

“the Department” means the Department for Regional Development;

“the Directive” means Directive 2007/59/EC of the European Parliament and of the Council on the certification of train drivers operating locomotives and trains on the railway system in the Community(3);

“employed” means employed whether under a contract of employment or as an independent contractor, and related expressions must be construed accordingly;

“infrastructure manager” means a person who is required, by regulation 3 of the Railways (Safety Management) Regulations (Northern Ireland) 2006(4), to be the holder of a safety authorisation;

“railway undertaking” means a person who is required, to be the holder of a safety certificate;

(1) [SI 1978/1039 \(N.I. 9\)](#).
(2) Corrected version in O.J. No. L220, 21.6.2004, p. 3.
(3) O.J. No. L315, 3.12.2007, p. 51.
(4) [SR 2006/237](#).

Status: Point in time view as at 10/05/2010.

Changes to legislation: There are currently no known outstanding effects for the The Train Driving Licences and Certificates Regulations (Northern Ireland) 2010, PART 1. (See end of Document for details)

“recognised doctor” means a registered medical practitioner whose name appears in a register of doctors that the Department has published, or caused to be published, under regulation 21(1)(a);

“recognised examiner” means a person whose name appears in a register of examiners that the Department has published, or caused to be published, under regulation 21(1)(d);

“recognised psychologist” means a person who holds the qualification of the British Psychological Society Certificate in Occupational Testing (Level A) and whose name appears in a register of psychologists that the Department has published, or caused to be published, under regulation 21(1)(b);

“recognised trainer” means a person whose name appears in a register of trainers that the Department has published, or caused to be published, under regulation 21(1)(c);

“safety authority” means an authority established in an EEA State, other than in the United Kingdom, in accordance with article 16.1 of Directive 2004/49/EC of the European Parliament and of the Council on safety on the Community’s railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification⁽⁵⁾;

“safety management system”, in relation to a railway undertaking or an infrastructure manager, means the organisation and arrangements established by it, under regulation 4 of the Railway (Safety Management) Regulations (Northern Ireland) 2006, to ensure the safe management of its operation;

“train” includes a locomotive, a shunting locomotive, a work train and a maintenance railway vehicle;

“train driving certificate” means a certificate, required by article 4(1)(b) of the Directive, indicating the rolling stock which the holder is authorised to drive and the infrastructure on which the holder is authorised to drive it;

“train driving licence” means a licence, required by article 4(1)(a) of the Directive, indicating the holder satisfies medical, educational and professional skills requirements for train driving.

(2) Subject to paragraph (1) words and expressions used in these Regulations have the same meaning as in the Directive.

(3) The Interpretation Act (Northern Ireland) 1954⁽⁶⁾ shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Commencement Information

I2 [Reg. 2](#) in operation at 10.5.2010, see [reg. 1\(2\)](#)

Application and extent

3. These Regulations apply in relation to the driving of trains on the Northern Ireland railway network.

Commencement Information

I3 [Reg. 3](#) in operation at 10.5.2010, see [reg. 1\(2\)](#)

⁽⁵⁾ O.J. No. L164, 30.4.2004, p. 44.

⁽⁶⁾ 1954 c. 33 (N.I.).

Status:

Point in time view as at 10/05/2010.

Changes to legislation:

There are currently no known outstanding effects for the The Train Driving Licences and Certificates Regulations (Northern Ireland) 2010, PART 1.