
STATUTORY INSTRUMENTS

1994 No. 157

The Railways and Other Transport Systems (Approval of Works, Plant and Equipment) Regulations 1994

Compliance with external standards, etc.

8.—(1) The Secretary of State shall not refuse to grant approval under regulation 5 for any works, plant or equipment or under regulation 6 for any prototype of plant or equipment on the ground that the works, plant or equipment or prototype does not comply with a specified standard if the works, plant or equipment or the prototype complies with—

- (a) a relevant standard or code of practice of a national standards body or equivalent body of any member State;
- (b) any relevant international standard recognised for use in any member State;
- (c) any relevant technical specification acknowledged for use as a standard by a public authority of any member State;
- (d) traditional procedures of manufacture of a member State where these are the subject of a written technical description sufficiently detailed to permit assessment of the articles or materials for the use specified; or
- (e) a specification sufficiently detailed to permit assessment for articles or materials of an innovative nature (or subject to innovative processes of manufacture such that they cannot comply with a recognised standard or specification) and which fulfil the purpose provided by the specified standard:

provided that the proposed standard, code of practice, technical specification or procedure of manufacture provides, in use, equivalent levels of safety, suitability and fitness for purpose.

(2) In considering whether to grant approval under regulation 5 for any works, plant or equipment or under regulation 6 for any prototype of plant or equipment, the Secretary of State shall take into consideration the results of any checks or tests carried out by a laboratory or similar body in another member State, including those checks and tests which conform with EN 45000, where such results provide a level of accuracy, fitness and suitability for purpose equivalent to the results of checks and tests carried out in the United Kingdom and where such laboratory or other body offers suitable and satisfactory guarantees of technical and professional competence and independence.