
STATUTORY INSTRUMENTS

2009 No. 2081

RAILWAYS

The Channel Tunnel (International Arrangements) (Amendment) Order 2009

Made - - - - 25th July 2009

Laid before Parliament 29th July 2009

Coming into force in accordance with article 1(2)

THE CHANNEL TUNNEL (INTERNATIONAL ARRANGEMENTS) (AMENDMENT) ORDER 2009

1. Citation and commencement
 2. Amendment of Order
 3. Transitional arrangements
- Signature

SCHEDULE — International Articles

THE INTERGOVERNMENTAL COMMISSION,
Having regard to the Treaty between the United Kingdom of...
Having regard to Council Directive 91/440/EEC of 29 July 1991,...
Having regard to Council Directive 95/18/EC of 19 June 1995,...
Having regard to Directive 2001/14/EC of the European Parliament and...
Having regard to the Regulation of the Intergovernmental Commission on...
Having regard to the quadripartite Concession signed on 14 March...
Considering the specific nature of the investment undertaken to assure...
HAS ADOPTED the following Regulation:

ARTICLE 1

Purpose

This Regulation applies to the use of those parts of...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

ARTICLE 2

Definitions

“Concession” and “Concessionaires” have the meaning given in Article 1...
“Common Section” means that part of the Fixed Link which...
“Intergovernmental Commission” means the Intergovernmental Commission established by Article 10...
The expressions used in this Regulation, which are also used...

ARTICLE 3

Access Rights

- 3.1 Railway undertakings established or to be established in a Member...
- 3.2 Access rights through the Common Section include, for any railway...
- 3.3 Access rights through the Common Section also comprise: use of...

ARTICLE 4

Management of Infrastructure

Subject to the provisions of Articles 9.2 and 11.3, the...

ARTICLE 5

Network Statement for the Fixed Link

- 5.1 The Concessionaires shall develop, publish, keep up to date and...
- 5.2 The Network Statement shall contain all the information necessary to...
- 5.3 The Concessionaires shall consult all the interested parties, including the...
- 5.4 The Concessionaires shall finalise the Network Statement and publish it...
- 5.5 The Network Statement shall be kept up to date following...

ARTICLE 6

Exercise of Access Rights

A railway undertaking shall not be permitted to exercise the...

ARTICLE 7

Nature and Content of Agreements

- 7.1 Conditions governing agreements to be entered into under Article 6(d)...
- 7.2 Agreements to be entered into under Article 6(d) shall include:...

ARTICLE 8

Framework Agreements

- 8.1 The Concessionaires may agree with any railway undertaking or international...
- 8.2 A framework agreement shall in principle be for a period...
- 8.3 For services using specialised infrastructure as designated under Article 24...

- 8.4 The framework agreement shall not be such as to preclude...
- 8.5 The framework agreement shall allow for the amendment or limitation...
- 8.6 The framework agreement may include provision for penalties should it...
- 8.7 Whilst respecting commercial confidentiality, the general nature of each framework...

ARTICLE 9

Procedure for Allocation of Train Paths

- 9.1 The Concessionaires shall establish an allocation body to allocate infrastructure...
- 9.2 The allocation body established in accordance with Article 9.1 shall...
- 9.3 Requests for train paths shall be submitted to the allocation...
- 9.4 The allocation body shall give its reasons for any refusal...
- 9.5 The allocation body may, giving reasons, withdraw or alter allocated...
- 9.6 The allocation body shall co-operate with other infrastructure managers to...

ARTICLE 10

Congested Infrastructure

- 10.1 Where the Concessionaires find that it is not possible to...
- 10.2 The Concessionaires shall, within six months of the declaration described...
- 10.3 Following consultation with the users of the infrastructure the Concessionaires...

ARTICLE 11

Infrastructure Charges

- 11.1 The Concessionaires shall co-operate with other infrastructure managers to achieve...
- 11.2 The Concessionaires shall establish a charging body to set out...
- 11.3 The charging body established in accordance with Article 11.2 shall...
- 11.4 The charges shall be established in accordance with the charging...
- 11.5 The charging body must be able to justify the charges...

ARTICLE 12

Regulatory Body

- 12.1 A railway undertaking or international grouping shall have a right...
- 12.2 For the purpose of carrying out this appeal function the...
- 12.3 The Concessionaires and other interested parties shall supply to the...
- 12.4 The Intergovernmental Commission shall take a decision and take action...
- 12.5 Pursuant to Article 76 of the Regulation of the Intergovernmental...
- 12.6 For the purpose of monitoring competition in the rail services...

ARTICLE 13

Entry into Force

- 13.1 This Regulation repeals and replaces the Regulation signed on 25...
- 13.2 This Regulation shall enter into force on the date of...

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Done by the Intergovernmental Commission on 23rd July 2009 in...

Explanatory Note