
STATUTORY INSTRUMENTS

2011 No. 3066

The Railways (Interoperability) Regulations 2011

PART 2

Subsystems

Continuing duty on operator in relation to standards

20.—(1) This regulation applies where a project subsystem is in use on, or is part of, the rail system with an authorisation under these Regulations.

(2) Subject to paragraph (3), the operator of the project subsystem must ensure that the project subsystem is operated and maintained—

- (a) subject to [^{F1}sub-paragraphs (b) and (ba)], in conformity with [^{F2}either the TSIs and notified national technical rules, or the NTSNs and NTRs] against which the subsystem was assessed for that authorisation;
 - (b) where [^{F3}an NTSN or NTR] referred to in sub-paragraph (a) has been varied or replaced, either in conformity with the varied or replaced [^{F4}NTSN or NTR] or in conformity with the original [^{F4}NTSN or NTR];
 - [^{F5}(ba) where a TSI or notified national technical rule referred to in sub-paragraph (a) has been replaced by an NTSN or by an NTR, either in conformity with the relevant NTSN or NTR currently in force or in conformity with the original TSI or rule,]
 - (c) in conformity with any functional [^{F6}NTSN] applying to that subsystem; and
 - (d) in accordance with any condition in the authorisation to the extent that the condition still applies.
- (3) Where—
- (a) a project subsystem—
 - (i) was assessed for authorisation against notified national technical rules that were the Rail Vehicle Accessibility Regulations 1998 ^{M1} as in force when the project was assessed, or
 - (ii) is deemed under regulation 44(1)(b) to have been assessed against the requirements referred to in that sub-paragraph, and
 - (b) an exemption order made or treated as having been made under section 183 of the Equality Act 2010 ^{M2} has effect in relation to that project subsystem,

the duty in paragraph (2)(a) to ensure that the project subsystem is operated and maintained in conformity with those Regulations or requirements is a duty to do so save to the extent the order exempted it from those Regulations or requirements, even though the order may include a provision for the expiry of such exemption.

(4) Paragraph (2) is without prejudice to regulation 45.

[^{F7}(5) In this regulation—

“functional NTSN” means an NTSN applying to a functional subsystem;

“project subsystem” includes a vehicle deemed to be authorised under these Regulations by the operation of regulation 44.]

Textual Amendments

- F1** Words in reg. 20(2)(a) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(26)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 20(2)(a) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(26)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 20(2)(b) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(26)(b)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in reg. 20(2)(b) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(26)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Reg. 20(2)(ba) inserted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(26)(c)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Word in reg. 20(2)(c) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(26)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Reg. 20(5) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(26)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
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Marginal Citations

- M1** S.I. 1998/2456, amended by S.I. 2000/3215 and S.I. 2008/1746 and revoked by S.I. 2010/432.
- M2** 2010 c.15. See article 21(1) and schedule 7 of S.I. 2010/2317 for saving provisions.

Changes to legislation:

There are currently no known outstanding effects for the The Railways (Interoperability) Regulations 2011, Section 20.