

2014 No. 3217

TRANSPORT

RAILWAYS

The Railways (Interoperability) (Amendment) Regulations 2014

Made - - - - *19th November 2014*

Laid before Parliament *8th December 2014*

Coming into force - - *1st January 2015*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 247 of the Transport Act 2000(a).

Citation and commencement

1. These Regulations may be cited as the Railways (Interoperability) (Amendment) Regulations 2014 and come into force on 1st January 2015.

Amendment to the Railways (Interoperability) Regulations 2011

2.—(1) The Railways (Interoperability) Regulations 2011(b) are amended as follows.

(2) In regulation 2(1), in the definition of “the Directive”—

(a) at the end of (b) omit “and”; and

(b) at the end of (c) insert—

“; and

(d) Commission Directive 2014/38/EU of 10th March 2014 amending Annex III to Directive 2008/57/EC of the European Parliament and of the Council as far as noise pollution is concerned(c).”

Signed by authority of the Secretary of State

19th November 2014

Kramer
Minister of State
Department for Transport

(a) 2000 c.38.

(b) S.I. 2011/3066 as amended by S.I. 2013/3023.

(c) O.J. No. L 70, 11.3.2014, p20.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Railways (Interoperability) Regulations 2011 (“the 2011 Regulations”) in order to implement Commission Directive 2014/38/EU of 10th March 2014 (“the 2014 Directive”) amending Annex III to Directive 2008/57/EC of the European Parliament and of the Council as far as noise pollution is concerned (O.J. No. L 70, 11.3.2014, p20).

The 2011 Regulations implemented Directive 2008/57/EC of the European Parliament and of the Council of 17th June 2008 on the interoperability of the rail system within the Community (Recast) (O.J. No. L 191, 18.7.2008, p1) (the “Interoperability Directive”). Annex III of the Interoperability Directive sets out “essential requirements” to be met by parts of the rail system authorised to be placed into service and by interoperability constituents placed on the market. Among other things Annex III provided that the operation of the rail system must respect existing regulations on noise pollution but did not specify the regulations it referred to. The 2014 Directive therefore replaces the existing paragraph 1.4.4 of Annex III (relating to noise pollution) with a new paragraph which is intended to address this issue.

Regulation 2(2) amends the definition of “the Directive” in regulation 2(1) of the 2011 Regulations. The term “the Directive” in the 2011 Regulations (as amended by S.I. 2013/3023) was defined as meaning Directive 2008/57/EC as amended by Directive 2009/131/EC (O.J. No. L 273, 17.10.2009, p12), Directive 2011/18/EU (O.J. No. L 57, 2.3.2011, p21) and Directive 2013/9/EU (O.J. No. L68, 12.3.2013, p55). This amendment now includes in the definition of the Directive a reference to the 2014 Directive.

An impact assessment has not been produced for this instrument as no impact on the costs of business, the public sector, third sector organisations, regulators or consumers is foreseen. An Explanatory Memorandum is available alongside the instrument on the website www.legislation.gov.uk

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