

**Transposition Note for Directive 2014/38/EU amending Annex III to Directive 2008/57/EC on the interoperability of the rail system within the Community**

This Transposition Note outlines how Directive 2014/38/EU is transposed by the Railways (Interoperability) (Amendment) Regulations 2014 (the “Regulations”). The Secretary of State is responsible for measures to implement Directive 2014/38/EU in Great Britain. The Regulations also implement Directive 2014/38/EU for Northern Ireland, by agreement with the Northern Ireland Ministers.

The transposition table below indicates that the approach taken to transposition is predominately one of copy out. For these purposes we regard a provision as having been copied out when the text is implemented by cross-reference. The articles referred to in the national provision column of the table refer to the articles in the text of the Regulations.

Article of Directive 2014/38/EU	Copy-out (yes/no)	If no- reason for elaboration	National Provision
Article 1 inserts into Annex III of Directive 2008/57/EC the clarification of noise under the Essential Requirement for environmental protection	Yes		Regulation 2 (2), the definition of “the “Directive” in the 2011 Regulations is amended to cross-refer to the amendments made to Annex III by Directive 2014/38/EU.
Article 2 – requires Member States to introduce provisions to implement the Directive and notify the Commission of transposition by 1 January 2015	No	No transposition required	
Article 3 – states the entry into force date of the Directive	No	No transposition required	
Article 4 addresses the Directive to Member States	No	No transposition required	

