

## STATUTORY INSTRUMENTS

# 2019 No. 700

## The Railway (Licensing of Railway Undertakings) (Amendment etc.) (EU Exit) Regulations 2019

### PART 2

#### Amendments to the Railway (Licensing of Railway Undertakings) Regulations 2005

##### Amendments

3. The 2005 Regulations are amended in accordance with this Part.

##### Commencement Information

- I1** [Reg. 3](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

##### Regulation 2 (interpretation)

4. In regulation 2(1) (interpretation)—
- (a) omit the definitions of “the 1995 Directive”, “the 2012 Directive”, “EEA State” and “European licence”;
  - (b) at the appropriate place, insert—  
““railway undertaking licence” means a licence, granted by the ORR to a railway undertaking pursuant to these Regulations, which authorises the undertaking to provide such train services as may be specified in the licence;”.

##### Commencement Information

- I2** [Reg. 4](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

##### Regulation 4 (scope)

- 5.—(1) Regulation 4 (scope) is amended as follows.
- (2) In paragraph (1)—
    - (a) after “train services” insert “in Great Britain”;
    - (b) omit “and are established or to be established in an EEA State”.
  - (3) In paragraph (3)—
    - (a) in sub-paragraph (a), omit “including a cross-border conurbation”;
    - (b) in sub-paragraph (b), omit “, including a cross-border region”.

**Commencement Information**

- I3** [Reg. 5](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

**Part 2 (European licences)**

**6.** In the heading of Part 2 (European licences), for “European” substitute “Railway Undertaking”.

**Commencement Information**

- I4** [Reg. 6](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

**Regulation 5 (prohibition of unlicensed provision of services)**

- 7.** In regulation 5 (prohibition of unlicensed provision of services)—
- (a) in paragraph (1), for “European” substitute “railway undertaking”;
  - (b) omit paragraph (4).

**Commencement Information**

- I5** [Reg. 7](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

**Regulation 6 (appointment of licensing authority and grant of European licences)**

**8.—(1)** Regulation 6 (appointment of licensing authority and grant of European licences) is amended as follows.

- (2) In the heading, for “European” substitute “railway undertaking”.
- (3) In paragraph (1)—
  - (a) omit “designated as”;
  - (b) for “European” substitute “railway undertaking”.
- (4) In paragraph (2)—
  - (a) for “European” substitute “railway undertaking”;
  - (b) omit “and inform the Commission of those procedures”.
- (5) In paragraph (3)—
  - (a) in the words before sub-paragraph (a), for “European” substitute “railway undertaking”;
  - (b) omit sub-paragraph (a) (including the “and” at the end of that sub-paragraph).
- (6) In paragraph (4), for “European” substitute “railway undertaking”.
- (7) Omit paragraph (4A).
- (8) In paragraphs (7) to (11), for “European”, in each place it occurs, substitute “railway undertaking”.
- (9) In paragraph (12)—

- (a) for “European licence” substitute “railway undertaking licence”;
  - (b) for “European Commission” substitute “Secretary of State”.
- (10) In paragraph (14), for “European” substitute “railway undertaking”.

**Commencement Information**

- I6** [Reg. 8](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

**Regulation 7 (validity of European licences)**

- 9.** In regulation 7 (validity of European licences)—
- (a) in the heading, for “European” substitute “railway undertaking”;
  - (b) in paragraphs (1) and (2), for “European”, in both places it occurs, substitute “railway undertaking”.

**Commencement Information**

- I7** [Reg. 9](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

**Regulation 8 (monitoring, suspension and revocation of European licences)**

**10.**—(1) Regulation 8 (monitoring, suspension and revocation of European licences) is amended as follows.

- (2) In the heading, for “European” substitute “railway undertaking”.
- (3) In paragraph (1)—
  - (a) omit “Subject to paragraph (5),”;
  - (b) for “European” substitute “railway undertaking”.
- (4) In paragraphs (3) and (4), for “European”, in both places it occurs, substitute “railway undertaking”.
- (5) Omit paragraph (5).
- (6) In paragraphs (6) to (11) and (13), for “European”, in each place it occurs, substitute “railway undertaking”.
- (7) In paragraph (14)—
  - (a) for “European licence” substitute “railway undertaking licence”;
  - (b) for “European Railway Agency” substitute “Secretary of State”.

**Commencement Information**

- I8** [Reg. 10](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

### **Regulation 9 (prohibition on operating trains without a statement of national regulatory provisions)**

11. In regulation 9 (prohibition on operating trains without a statement of national regulatory provisions)—

- (a) in paragraph (1), for “European” substitute “railway undertaking”;
- (b) omit paragraph (5).

---

#### **Commencement Information**

**I9** [Reg. 11](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

### **Regulation 10 (statements of national regulatory provisions)**

12. In regulation 10 (statements of national regulatory provisions), in paragraphs (1) and (2)(b), for “European”, in both places it occurs, substitute “railway undertaking”.

---

#### **Commencement Information**

**I10** [Reg. 12](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

### **Regulation 11 (conditions of statements of national regulatory provisions)**

13. In regulation 11 (conditions of statements of national regulatory provisions)—

- (a) in paragraph (1), for “European” substitute “railway undertaking”;
- (b) in paragraph (4) omit sub-paragraph (a) (including the “or” at the end of that sub-paragraph).

---

#### **Commencement Information**

**I11** [Reg. 13](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

### **Regulation 12 (referral for Commission’s opinion)**

14. Omit regulation 12 (referral for Commission’s opinion).

---

#### **Commencement Information**

**I12** [Reg. 14](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

### **Regulation 17 (general duties of the Rail Passengers’ Council)**

15. In regulation 17 (general duties of the Rail Passengers’ Council)—

- (a) in paragraph (1), for “European”, in each place it occurs, substitute “railway undertaking”;
- (b) omit paragraph (2).

**Commencement Information**

**I13** Reg. 15 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**Regulation 19 (duties of the London Transport Users' Committee)**

16. In regulation 19 (duties of the London Transport Users' Committee)—
- (a) in paragraph (1), for “European”, in both places it occurs, substitute “railway undertaking”;
  - (b) omit paragraph (2).

**Commencement Information**

**I14** Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**Regulation 21 (review)**

17. In regulation 21 (review) omit paragraph (2).

**Commencement Information**

**I15** Reg. 17 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**Schedule 2 (qualifications for European licence)**

18. In Schedule 2 (qualifications for European licence)—
- (a) in the heading of the Schedule, for “European” substitute “railway undertaking”;
  - (b) in paragraphs 1, 6 and 11(1), for “European”, in each place it occurs, substitute “railway undertaking”.

**Commencement Information**

**I16** Reg. 18 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(2)

**Schedule 4 (transitional provisions relating to existing licences and licence exemptions)**

- 19.—(1) Schedule 4 (transitional provisions relating to existing licences and licence exemptions) is amended as follows.
- (2) In paragraph 2, for “Paragraphs 3 and 4 apply” substitute “Paragraph 4 applies”.
  - (3) Omit paragraph 3.
  - (4) In paragraph 5, for “Paragraphs 6 and 7 apply” substitute “Paragraph 7 applies”.
  - (5) Omit paragraphs 6 and 8.

---

**Changes to legislation:** There are currently no known outstanding effects for the The Railway (Licensing of Railway Undertakings) (Amendment etc.) (EU Exit) Regulations 2019, PART 2. (See end of Document for details)

---

.....

**Commencement Information**

**I17** [Reg. 19](#) in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Railway (Licensing of Railway Undertakings) (Amendment etc.) (EU Exit) Regulations 2019, PART 2.