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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by the Channel Tunnel Act 1987 in order to amend the Train Driving Licences and Certificates Regulations 2010 (the “2010 Regulations”). This is to enable the implementation of an agreement with France for the mutual recognition of train driving licences in the Channel Tunnel and immediate cross-border areas (the “agreement”).

These Regulations amend the train driver licensing arrangements in the 2010 Regulations as they apply to train drivers with European train driving licences conducting cross-border services between UK and France. These Regulations provide for the recognition of European train driving licences issued to the drivers of such services by the relevant authorities in the EEA pursuant to Council [Directive 2007/59/EC](#) of the European Parliament and of the Council on the certification of train drivers operating locomotives and trains on the railway system in the European Union (O.J. No. L 315, 3.12.2007, p.51).

Recognition of European train driving licences will apply in relation to the Channel Tunnel shuttle service and to cross-border services between the UK and France and as far as Ashford International station for passenger services or Dollands Moor freight yard for freight services. Under the agreement, equivalent provision is made for the recognition of train driving licences issued by the Office of Rail and Road (“ORR”) in Great Britain, in the French part of the Channel Tunnel and to Calais-Fréthun station or Fréthun freight yard.

The Regulations also amend the 2010 Regulations so as to require the certificates issued to train drivers on cross-channel services to include authorisation to drive in the French section of the Channel Tunnel and the immediate cross-border area in France to Calais-Fréthun or Fréthun freight yard.

These Regulations also provide for the ORR to share information with the French licensing authority responsible for issuing European train driving licences in France or with any other safety authority that has issued the licence, in relation to both holders of European train driving licences driving in the Channel Tunnel zone in Great Britain and to holders of train driving licences and train driving certificates driving in the Channel Tunnel zone in France.

A de minimis impact assessment was produced for this instrument which identified that no, or no significant, impact on the private or voluntary sector is foreseen from these Regulations. The Explanatory Memorandum produced for this instrument has been published alongside this instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk).