

---

STATUTORY INSTRUMENTS

---

**2006 No. 397**

**TRANSPORT**

**RAILWAYS**

**The Railways (Interoperability) Regulations 2006**

*Made - - - - 16th February 2006*

*Laid before Parliament 23rd February 2006*

*Coming into force in accordance with regulation 1*

**THE RAILWAYS (INTEROPERABILITY) REGULATIONS 2006**

PART 1

*Interpretation and Application*

1. Citation and commencement
2. Interpretation
3. Application

PART 2

*Subsystems*

4. Requirement for authorisation
5. Renewal or upgrading of subsystems
6. Exemption from need to conform with TSIs (derogations)
7. Essential requirements for project subsystems
8. Duties on a contracting entity
9. Project subsystems: verification assessment procedure
10. Project subsystems: verification declaration
11. Technical file and retention of documents
12. Duty on operator to ensure essential requirements are met
13. Fees payable to the Safety Authority
14. Fees payable to the Competent Authority
15. Transitional conventional TEN projects and renewal projects on the high-speed rail system

*Status: This is the original version (as it was originally made).*

### PART 3

#### *Interoperability Constituents*

16. EC declaration of conformity or of suitability for use
17. Effect of conformity and suitability declarations
18. Assessment procedure for interoperability constituents
19. Prohibition on placing interoperability constituents on the market
20. Duties on operators
21. Position after placing on the market
22. Recognition of assessments of other Member States
23. Notification to the Commission of incorrect declaration

### PART 4

#### *Notified Bodies*

24. Notified bodies
25. Appointment of notified bodies by the Secretary of State
26. Requirement on notified bodies to carry out functions
27. Notified bodies: certificates of conformity etc.
28. Duties on notified bodies to consult
29. Fees of notified bodies
30. Fees of the Secretary of State

### PART 5

#### *Registers*

31. Registers of authorised infrastructure and authorised rolling stock
32. Publication and notification of registers
33. National vehicle register

### PART 6

#### *Enforcement*

34. Enforcement in Great Britain
35. Enforcement in Northern Ireland
36. Notices relating to interoperability constituents not meeting the essential requirements
37. Notice of improper drawing up of the EC declaration of conformity for an interoperability constituent
38. Defence of due diligence
39. Liability of persons other than the principal offender

### PART 7

#### *Supplementary*

40. Revocation, transitional provision and savings  
Signature

### *THE TRANS-EUROPEAN HIGH-SPEED RAIL SYSTEM*

1. THE INFRASTRUCTURE
2. THE ROLLING STOCK
3. COMPATIBILITY OF THE TRANS-EUROPEAN HIGH-SPEED RAIL SYSTEM

SCHEDULE 2 — *(This Schedule reproduces the provisions of Annex I to the Conventional Directive)*

### *THE TRANS-EUROPEAN CONVENTIONAL RAIL SYSTEM*

1. INFRASTRUCTURE
2. ROLLING STOCK
3. COMPATIBILITY OF THE TRANS-EUROPEAN CONVENTIONAL RAILWAY SYSTEM
4. EXTENSION OF THE SCOPE
  1. Subcategories of lines and rolling stock In order to deliver...
  2. Cost safeguards The cost-benefit analysis of the proposed measures will...

SCHEDULE 3 — *(This Schedule reproduces the provisions of Annex II to the High-Speed Directive)*

### *SUBSYSTEMS OF THE TRANS-EUROPEAN HIGH-SPEED RAIL SYSTEM*

#### SUBSYSTEMS

1. LIST OF SUBSYSTEMS
2. AREAS TO BE COVERED

SCHEDULE 4 — *(This Schedule reproduces Annex II to the Conventional Directive)*

### *SUBSYSTEMS OF THE TRANS-EUROPEAN CONVENTIONAL RAIL SYSTEM*

1. LIST OF SUBSYSTEMS
2. DESCRIPTION OF THE SUBSYSTEMS
  - 2.1 Infrastructure: The track points, engineering structures (bridges, tunnels, etc.), associated...
  - 2.2 Energy: The electrification system, overhead lines and current collectors.
  - 2.3 Control and command and signalling: All the equipment necessary to...
  - 2.4 Traffic operation and management: The procedures and related equipment enabling...
  - 2.5 Telematics applications: In accordance with Annex I, this subsystem comprises...
  - 2.6 Rolling stock: Structure, command and control system for all train...
  - 2.7 Maintenance: The procedures, associated equipment, logistics centres for maintenance work...

SCHEDULE 5 — *(This Schedule reproduces Annex III to the High-Speed Directive)*

### *ESSENTIAL REQUIREMENTS FOR THE TRANS-EUROPEAN HIGH-SPEED RAIL SYSTEM*

1. ESSENTIAL REQUIREMENTS
  - 1.1 Safety
    - 1.1.1 The design, construction or assembly, maintenance and monitoring of safety-critical...

**Status:** This is the original version (as it was originally made).

- 1.1.2 The parameters involved in the wheel/rail contact must meet the...
- 1.1.3 The components used must withstand any normal or exceptional stresses...
- 1.1.4 The design of fixed installations and rolling stock and the...
- 1.1.5 Any devices intended to be handled by users must be...
- 1.2 Reliability and availability The monitoring and maintenance of fixed or...
- 1.3 Health
  - 1.3.1 Materials likely, by virtue of the way they are used,...
  - 1.3.2 Those materials must be selected, deployed and used in such...
- 1.4 Environmental protection
  - 1.4.1 The repercussions on the environment of the establishment and operation...
  - 1.4.2 The materials used in the trains and infrastructures must prevent...
  - 1.4.3 The rolling stock and energy-supply systems must be designed and...
- 1.5 Technical compatibility The technical characteristics of the infrastructures and fixed...
  - 2. Requirements specific to each subsystem
    - 2.1 Infrastructures
      - 2.1.1 Safety Appropriate steps must be taken to prevent access to...
    - 2.2 Energy
      - 2.2.1 Safety Operation of the energy-supply systems must not impair the...
      - 2.2.2 Environmental protection The functioning of the energy-supply systems must not...
    - 2.2.3 Technical compatibility The electricity supply systems used throughout the trans-European...
  - 2.3 Control and command and signalling
    - 2.3.1 Safety The control and command and signalling installation and procedures...
    - 2.3.2 Technical compatibility All new high-speed infrastructures and all new high-speed...
  - 2.4 Rolling stock
    - 2.4.1 Safety The rolling-stock structures and those of the links between...
    - 2.4.2 Reliability and availability The design of the vital equipment and...
    - 2.4.3 Technical compatibility The electrical equipment must be compatible with the...
    - 2.4.4 Controls Trains must be equipped with a recording device. The...
  - 2.5 Maintenance
    - 2.5.1 Health The technical installations and the procedures used in the...
    - 2.5.2 Environmental protection The technical installations and the procedures used in...
    - 2.5.3 Technical compatibility The maintenance installations on high-speed trains must be...
  - 2.6 Environment
    - 2.6.1 Health Operation of the trans-European high-speed rail system must remain...
    - 2.6.2 Environmental protection Operation of the trans-European high-speed rail system must...
  - 2.7 Operation
    - 2.7.1 Safety Alignment of the network operating rules and the qualifications...
    - 2.7.2 Reliability and availability The operation and maintenance periods, the training...
    - 2.7.3 Technical compatibility The alignment of the operating rules of the...

SCHEDULE 6 — *(This Schedule reproduces Annex III to the Conventional Directive)*

## *ESSENTIAL REQUIREMENTS FOR THE TRANS-EUROPEAN CONVENTIONAL RAIL SYSTEM*

1. GENERAL REQUIREMENTS
  - 1.1 Safety
    - 1.1.1 The design, construction or assembly, maintenance and monitoring of safety-critical...
    - 1.1.2 The parameters involved in the wheel/rail contact must meet the...
    - 1.1.3 The components used must withstand any normal or exceptional stresses...
    - 1.1.4 The design of fixed installations and rolling stock and the...
    - 1.1.5 Any devices intended to be handled by users must be...
  - 1.2 Reliability and availability The monitoring and maintenance of fixed or...
  - 1.3 Health
    - 1.3.1 Materials likely, by virtue of the way they are used,...
    - 1.3.2 Those materials must be selected, deployed and used in such...
  - 1.4 Environmental protection
    - 1.4.1 The environmental impact of establishment and operation of the trans-European...
    - 1.4.2 The materials used in the trains and infrastructure must prevent...
    - 1.4.3 The rolling stock and energy-supply systems must be designed and...
    - 1.4.4 Operation of the trans-European conventional rail system must respect existing...
    - 1.4.5 Operation of the trans-European conventional rail system must not give...
  - 1.5 Technical compatibility The technical characteristics of the infrastructure and fixed...
2. REQUIREMENTS SPECIFIC TO EACH SUBSYSTEM
  - 2.1 Infrastructure
    - 2.1.1 Safety Appropriate steps must be taken to prevent access to...
  - 2.2 Energy
    - 2.2.1 Safety Operation of the energy-supply systems must not impair the...
    - 2.2.2 Environmental protection The functioning of the electrical or thermal energy-supply...
    - 2.2.3 Technical compatibility The electricity/thermal energy supply systems used must: enable...
  - 2.3 Control and command and signalling
    - 2.3.1 Safety The control and command and signalling installations and procedures...
    - 2.3.2 Technical Compatibility All new infrastructure and all new rolling stock...
  - 2.4 Rolling stock
    - 2.4.1 Safety The structure of the rolling stock and of the...
    - 2.4.2 Reliability and availability The design of the vital equipment, of...
    - 2.4.3 Technical compatibility The electrical equipment must be compatible with the...
    - 2.4.4 Controls Trains must be equipped with a recording device. The...
  - 2.5 Maintenance
    - 2.5.1 Health and safety The technical installations and the procedures used...
    - 2.5.2 Environmental protection The technical installations and the procedures used in...
    - 2.5.3 Technical compatibility The maintenance installations for conventional rolling stock must...
  - 2.6 Operation and traffic management
    - 2.6.1 Safety Alignment of the network operating rules and the qualifications...
    - 2.6.2 Reliability and availability The maintenance operations and periods, the training...

*Status: This is the original version (as it was originally made).*

- 2.6.3 Technical compatibility Alignment of the network operating rules and the...
- 2.7 Telematics applications for freight and passengers
- 2.7.1 Technical compatibility The essential requirements for telematics applications guarantee a...
- 2.7.2 Reliability and availability The methods of use, management, updating and...
- 2.7.3 Health The interfaces between these systems and users must comply...
- 2.7.4 Safety Suitable levels of integrity and dependability must be provided...

SCHEDULE 7 — *(This Schedule substantially reproduces the provisions of Annex IV to the High-Speed Directive and to the Conventional Directive)*

#### CONFORMITY AND SUITABILITY FOR USE OF INTEROPERABILITY CONSTITUENTS

- 1. INTEROPERABILITY CONSTITUENTS
  - 1.1 Multiple-use constituents These are constituents that are not specific to...
  - 1.2 Multiple-use constituents having specific characteristics These are constituents which are...
  - 1.3 Specific constituents These are constituents that are specific to railway...
- 2. SCOPE
- 3. CONTENTS OF THE 'EC' DECLARATION

SCHEDULE 8 — *(This Schedule substantially reproduces the provisions of Annex V to the High-Speed Directive and to the Conventional Directive)*

#### DECLARATION OF VERIFICATION OF SUBSYSTEMS

SCHEDULE 9 — *(This Schedule substantially reproduces, with minor modifications, the provisions of Annex VI to the High-Speed Directive and to the Conventional Directive)*

#### VERIFICATION PROCEDURE FOR SUBSYSTEMS

- 1. INTRODUCTION
- 2. STAGES
- 3. CERTIFICATE
- 4. TECHNICAL FILE
- 5. MONITORING
  - 5.1 The aim of EC monitoring is to ensure that the...
  - 5.2 The notified body responsible for checking production must have permanent...
  - 5.3 The notified body responsible for checking implementation must periodically carry...
  - 5.4 In addition, the notified body may pay unexpected visits to...
- 6. SUBMISSION
- 7. PUBLICATION
- 8. LANGUAGE

SCHEDULE 10 — *(This Schedule substantially reproduces the provisions of Annex VII to the High-Speed Directive and to the Conventional Directive)*

*MINIMUM CRITERIA WHICH MUST BE TAKEN INTO ACCOUNT  
BY THE MEMBER STATES WHEN NOTIFYING BODIES*

1. The body, its Director and the staff responsible for carrying...
2. The body and the staff responsible for the checks must...
3. The body must employ staff and possess the means required...
4. The staff responsible for the checks must possess: proper technical...
5. The independence of the staff responsible for the checks must...
6. The body must take out civil liability insurance unless that...
7. The staff of the body are bound by professional secrecy...

SCHEDULE 11 — HIGH-SPEED RAIL SYSTEM

Explanatory Note