
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 237

**THE RAILWAYS (SAFETY MANAGEMENT)
REGULATIONS (NORTHERN IRELAND) 2006**

PART II

SAFETY MANAGEMENT, CERTIFICATION AND AUTHORISATION

Revocation of safety certificate

- 13.—(1)** The Department shall revoke—
- (a) either Part A or Part B of a safety certificate if it is satisfied that the holder is no longer satisfying the conditions of that part of the safety certificate and that there is a significant risk arising from the result;
 - (b) a safety certificate if it is satisfied that the holder—
 - (i) is no longer satisfying the conditions of that safety certificate and that there is a significant risk arising as a result; or
 - (ii) is not operating a vehicle in relation to any infrastructure on any railway as intended pursuant to that safety certificate and has not done so throughout the period of one year commencing with the date of issue of the safety certificate by the Department, except that this paragraph shall not apply in relation to Part A of a safety certificate where it is deemed to be such a Part A in accordance with regulation 5(2).
- (2) In this regulation, “conditions” means in relation to—
- (a) Part A of a safety certificate, any part of the requirements relating to the safety management system set out in regulation 4(1) to (3) in relation to an operation carried out on any railway;
 - (b) Part B of a safety certificate, that the provisions adopted by the applicant are sufficient to meet any requirements that are necessary to ensure safe operation on any railway in relation to the operation; or
 - (c) a safety certificate, the matters referred to in sub-paragraphs (a) and (b).
- (3) Before revoking any safety certificate or Part A or B of it, the Department shall—
- (a) notify the holder that—
 - (i) it is considering revoking that safety certificate or Part A or B of it and the reasons why;
 - (ii) within a period specified in the notice, which shall be not less than 28 days, the holder may make representations in writing to the Department or, if the holder so requests, may make oral representations to the Department; and
 - (b) consider any representations which are duly made and not withdrawn.
- (4) Where the Department revokes a safety certificate or Part A or Part B of it, it shall send to the holder with the notice of revocation a statement of the reasons why.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) Where—

- (a) the Department revokes Part B of a safety certificate; and
- (b) Part A of that safety certificate is deemed to be Part A of a safety certificate pursuant to regulation 5(2) and was issued by the safety authority in another member State or in Great Britain.

then the Department shall notify that safety authority as soon as reasonably possible of that revocation.