
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 420

TRANSPORT

**The Railways Infrastructure (Access, Management
and Licensing of Railway Undertakings)
Regulations (Northern Ireland) 2016**

Made - - - - 1st December 2016

Coming into operation 23rd January 2017

**THE RAILWAYS INFRASTRUCTURE (ACCESS,
MANAGEMENT AND LICENSING OF RAILWAY
UNDERTAKINGS) REGULATIONS (NORTHERN IRELAND) 2016**

PART 1

1. Citation and commencement
2. (1) In these Regulations— “access rights” means rights of access...
3. Scope

PART 2

4. Access and transit rights
5. Access to services
6. Access to training facilities
7. Cross-border agreements

PART 3

8. Management independence
9. Separation of accounts
10. Independence of service providers from dominant bodies and firms
11. Indicative railway infrastructure strategy
12. Business Plans
13. Network Statement

Status: This is the original version (as it was originally made).

PART 4

14. Establishing, determining and collecting charges
15. Infrastructure costs and accounts
16. Performance scheme
17. Cooperation in relation to charging systems on more than one network
18. Reservation charges

PART 5

19. Capacity allocation
20. Co-operation in the allocation of infrastructure capacity crossing more than one network
21. Framework agreements
22. Application for infrastructure capacity
23. Scheduling and co-ordination
24. Ad hoc requests
25. Declaration of specialised infrastructure
26. Congested infrastructure
27. Capacity analysis
28. Capacity enhancement plan
29. Use of train paths
30. Special measures to be taken in the event of disruption

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31. Regulatory body
32. Appeals to the regulatory body
33. Regulatory decisions concerning international passenger services
34. Monitoring the rail services markets
35. Audits
36. Duty of certain persons to furnish information to the Department or the Office of Rail and Road
37. Co-operation between regulatory bodies

PART 7

38. Enforcement of decisions, directions and notices
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42. Validity and effect of penalties

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43. Prohibition of unlicensed provision of international services
44. Appointment of licensing authority and grant of European licences
45. Validity of European licences
46. Monitoring, suspension and revocation of European licences
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PART 9

48. Prohibition on operating trains without a statement of national regulatory provisions
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PART 10

53. Statutory authority to run trains
54. Civil proceedings
55. Making of false statements etc.
56. Offences by bodies corporate
57. Breaches of duty outside the United Kingdom
58. Revocation
Signature

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- SCHEDULE SERVICES TO BE SUPPLIED TO RAILWAY UNDERTAKINGS
- 1
1. The minimum access package referred to in regulation 5(1) must...
 2. Access including track access to services facilities and the supply...
 3. The additional services referred to in regulation 5(10) may comprise
—...
 4. The ancillary services referred to in regulation 5(11) may comprise
—...
- SCHEDULE ACCESS CHARGING
- 2
1. Principles of access charging
 2. Exceptions to the charging principles
 3. (1) Subject to subparagraph (2), for specific investment projects completed—...
 4. (1) An infrastructure manager’s average and marginal charges for equivalent...
 5. If an infrastructure manager intends to modify the essential elements...
 6. Discounts
 7. Performance Schemes
- SCHEDULE TIMETABLE FOR THE ALLOCATION PROCESS
- 3
1. Date of timetable change
 2. Timetable for the production of the working timetable
- SCHEDULE QUALIFICATIONS FOR EUROPEAN LICENCE
- 4
1. Good repute
 2. Without prejudice to the generality of its powers under paragraph...
 3. (1) For the purposes of paragraph 2, a person has...
 4. (1) Any reference in paragraph 3 to an offence under...
 5. In paragraphs 1 and 2 the reference to any appropriate...

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6. Financial fitness
 7. For the purpose of demonstrating its financial fitness a railway...
 8. The Department shall not find the railway undertaking to be...
 9. Without prejudice to paragraph 7 the Department may request that...
 10. Professional competence
 11. Insurance cover
- SCHEDULE
- 5 ACCOUNTING INFORMATION TO BE SUPPLIED TO THE
OFFICE OF RAIL AND ROAD UPON REQUEST
 1. The accounting information referred to in regulation 35(2) is as...
 2. Account separation
 3. Monitoring of track access charges
 4. Indication of financial performance
- Explanatory Note