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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

**The Railway (Licensing of Railway Undertakings) (Amendment) Regulations 2021**

**PART 4**

Amendments etc. to other legislation

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

**16.** For regulation 35 substitute—

“**35.** Regulation 2(1) (interpretation) has effect as if the following definitions were inserted at the appropriate places—

““the 1995 Directive” means Council [Directive 95/18/EC](#) of 19th June 1995 on the licensing of railway undertakings, as amended by [Directive 2001/13/EC](#) of 26th February 2001 and [Directive 2004/49/EC](#) of 29th April 2004, both of the European Parliament and of the Council;”;

““the 2012 Directive” means [Directive 2012/34/EU](#) of the European Parliament and of the Council of 21st November 2012 establishing a single European railway area (recast);”;

““Channel Tunnel service” means—

- (a) a service for the transport of passengers by rail between Calais-Fréthun station in France and Ashford International station in the United Kingdom;
- (b) a service for the transport of goods by rail between Fréthun freight yard in France and Dollands Moor freight yard in the United Kingdom; or
- (c) a service for the transport of passengers or goods by rail which originates or terminates somewhere other than one of those stations or freight yards but only while it passes between them;”;

““European licence” means a licence that is—

- (a) valid throughout the territory of any EEA state;
- (b) granted to a railway undertaking by which the capacity of the railway undertaking as such is recognised and which authorises the undertaking to provide in and between EEA states such train services as may be specified in the licence; and
- (c) granted pursuant to action taken by an EEA state for the purpose of implementing the 1995 Directive or the 2012 Directive;”;

““French licensing authority” means the body responsible for granting European licences in France;”.”.