
DRAFT STATUTORY INSTRUMENTS

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

17. After regulation 36 insert—

“**36A.** The 2005 Regulations have effect as if the following regulation were inserted after regulation 8—

“Information sharing by the ORR

8A.—(1) Where the ORR considers that there is serious doubt whether a railway undertaking which holds a European licence and is operating a Channel Tunnel service in reliance on that licence complies with any requirement of the 1995 Directive or Chapter III of the 2012 Directive, it must so notify the French licensing authority.

(2) The ORR must without delay provide information to the French licensing authority in relation to any relevant railway undertaking licence and the railway undertaking to which that licence has been granted—

- (a) on request by the French licensing authority on notifying the ORR of any concerns or doubts in relation to the validity of that licence;
- (b) if the ORR takes steps in accordance with regulation 8(2)(b) to determine whether or not the railway undertaking to which that licence has been granted complies with a requirement referred to in Schedule 2;
- (c) if the ORR requires that railway undertaking to submit or resubmit its licence for approval in accordance with regulation 8; or
- (d) the ORR suspends or revokes that licence.

(3) In this regulation “a relevant railway undertaking licence” means a railway undertaking licence in reliance upon which a railway undertaking provides a Channel Tunnel service in France.””.