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DRAFT STATUTORY INSTRUMENTS

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**2021 No.**

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

**PART 2**

**Amendments to the Railway (Licensing of Railway Undertakings) Regulations 2005**

**4.** In regulation 2(1) (interpretation) after the definition of “the 1993 Act” insert—

““the 1995 Directive” means Council [Directive 95/18/EC](#) of 19th June 1995 on the licensing of railway undertakings<sup>(1)</sup>, as amended by [Directive 2001/13/EC](#) of 26th February 2001<sup>(2)</sup> and [Directive 2004/49/EC](#) of 29th April 2004<sup>(3)</sup>, 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)<sup>(4)</sup>;

“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 granted pursuant to any action taken by an EEA state for the purpose of implementing the 1995 Directive or Chapter III of the 2012 Directive;

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

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(1) O.J. No. L 143, 27.6.1995, p. 70. Added to Annex XIII of the EEA Agreement by Article 1 of the Decision of the EEA Joint Committee No. 71/95 of 15th December 1995 (O.J. L 57, 7.3.96, p.37).

(2) O.J. No. L 75, 15.3.2001, p. 26. Added to Annex XIII of the EEA Agreement by Article 2 of the Decision of the EEA Joint Committee No. 118/2001 of 28th September 2001 (O.J. L 322, 6.12.2001, p.32).

(3) O.J. No. L 164, 30.4.2004, p. 44, to which there has been a corrigendum which is not relevant to these Regulations. Added to Annex XIII of the EEA Agreement by Article 1 of the Decision of the EEA Joint Committee No. 151/2004 of 29th October 2004 (O.J. L 102, 21.4.2005, p.27).

(4) O.J. No. L 343, 14.12.12, p. 32, as corrected by Corrigendum, O.J. L 67, 12.3.15, p. 32.