

SCHEDULE 1

Regulations 3, 4 and 5

PARTICULARS TO BE INCLUDED IN A SAFETY CASE

1. The name and address of the person who has prepared the safety case (in this Schedule referred to as “the duty holder”).
2. A description of the operation intended to be undertaken by the duty holder.
3. A general description of the premises or plant intended to be used by the duty holder for the operation intended to be undertaken by him.
4. Particulars of any—
 - (a) technical specifications; and
 - (b) procedures or arrangements relating to operations or maintenance,which the duty holder intends to follow in connection with the operation intended to be undertaken by him, in so far as they affect the health and safety of persons.
5. A statement of the duty holder’s general policy with respect to the health and safety of persons affected by the operation he intends to undertake, including the health and safety objectives he intends to achieve in relation to it.
6. A statement of the significant findings of the risk assessment the duty holder has made pursuant to regulation 3 of the Management of Health and Safety at Work Regulations 1992(1) and particulars of the arrangements he has made pursuant to regulation 4(1) thereof.
7. Particulars to demonstrate that the management system of the duty holder is adequate to ensure that the relevant statutory provisions will (in respect of matters within his control) be complied with in relation to the operation he intends to undertake.
8. Particulars to demonstrate that the duty holder has an adequate organisation for carrying out the policy referred to in paragraph 5 and adequate arrangements for ensuring the competence of his employees as respects health and safety.
9. Particulars to demonstrate that the duty holder has established adequate arrangements for the passing of information relevant to health and safety to persons within his undertaking and to other railway operators whose operations affect or are affected by the operation intended to be carried out by the duty holder.
10. Particulars of the arrangements the duty holder has established for consulting his employees on matters of health and safety.
11. Particulars to demonstrate that the duty holder has established adequate arrangements for investigating accidents and other incidents which could endanger persons, for co-ordinating such investigations with the investigations carried out by other railway operators and for participating in investigations carried out by other railway operators.
12. Particulars of the arrangements the duty holder has established with a view to securing the health and safety of persons, for managing work carried out by persons who are not his employees on or in relation to premises or plant which he owns or controls.
13. Particulars of the procedures the duty holder has established for dealing with accidents and with emergencies or other incidents which could endanger persons.
14. Where the safety case is prepared pursuant to regulation 5, particulars of the procedures and arrangements the duty holder has established—

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- (a) to prevent risks to the health and safety of persons arising from the movement or overcrowding of persons in the station; and
 - (b) for the evacuation of persons from the station in an emergency.
- 15.** Particulars of the safety procedures the duty holder has established for the design and procurement of premises and plant to be used by him or under his control.
- 16.** Particulars to demonstrate that the duty holder has established adequate arrangements for audit and the making of reports thereof.
- 17.** Particulars of the arrangements the duty holder has established to enable him to comply with regulation 8, including—
- (a) in a case where the duty holder is to submit the safety case to an infrastructure controller for acceptance pursuant to these Regulations, particulars to demonstrate that the duty holder has established adequate arrangements for enabling the controller to follow with respect to that safety case the arrangements described in his own safety case pursuant to paragraph 3 of Schedule 2;
 - (b) in a case where the duty holder is to submit a safety case to the Executive for acceptance pursuant to regulation 5, particulars to demonstrate that the duty holder has established adequate arrangements for enabling the relevant infrastructure controller referred to in that regulation to follow with respect to that safety case the arrangements described in his own safety case pursuant to paragraph 4 of Schedule 2.
- 18.** In this Schedule—
- (a) “audit” means systematic assessment of the adequacy of the management system to achieve the purpose referred to in paragraph 7 carried out by persons who are sufficiently independent of the system (but who may be employed by the duty holder) to ensure that such assessment is objective;
 - (b) “management system” means the organisation and arrangements established by the duty holder for managing his undertaking;
 - (c) any reference to an operation intended to be undertaken by a duty holder is—
 - (i) where the safety case is prepared pursuant to regulation 3, a reference to the operations he intends to carry out in relation to the railway infrastructure concerned;
 - (ii) where the safety case is prepared pursuant to regulation 4 or 5, a reference to the train or station operations concerned.

SCHEDULE 2

Regulation 3

ADDITIONAL PARTICULARS TO BE INCLUDED IN A SAFETY CASE OF AN INFRASTRUCTURE CONTROLLER

- 1.** Particulars of the arrangements established by the infrastructure controller who has prepared the safety case for scrutinising—
- (a) any safety cases or revisions thereof sent to him for acceptance pursuant to regulation 4, 5 or 6 and the criteria he will use for accepting them;
 - (b) copies of any safety cases or revisions thereof sent to him pursuant to regulation 9(5).
- 2.** Particulars to demonstrate that the arrangements and criteria referred to in paragraph 1(a) will enable him before accepting a safety case or revision thereof to be satisfied on the matters referred to in regulation 2(4).

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3. Particulars of the arrangements he has established for ensuring that railway operators who have had their safety cases accepted by him follow the procedures and arrangements described in them in so far as those procedures and arrangements affect or are likely to affect the performance of his health and safety duties.

4. Particulars of the arrangements he has established for ensuring that persons operating stations served by any railway infrastructure he controls who have had their safety cases accepted by the Executive pursuant to regulation 5, follow the procedures and arrangements described in them in so far as those procedures and arrangements affect or are likely to affect the performance of his health and safety duties.

SCHEDULE 3

Regulation 12

TRANSITIONAL PROVISIONS

1. Where a person is undertaking a relevant operation on 28th February 1994 it shall, to the extent that the operation is undertaken in the same place as it was on that date, be sufficient compliance by him with regulation 3(1)(a) and (b), 4 or 5 if the safety case referred to in that provision is prepared and accepted within 2 years after that date.

2. Where pursuant to regulation 4 or 5 a person submits in respect of a train or station operation to be carried out by him a safety case for acceptance to an infrastructure controller who by virtue of paragraph 1 has not had his own safety case accepted by the Executive, paragraph 1 shall, to the extent that it relates to regulation 3, cease to apply to that controller in respect of that operation.

3. Where a relevant operation is not being undertaken on 28th February 1994 in consequence of normal operating schedules, maintenance, repair or an emergency, the operation shall nevertheless be treated for the purposes of paragraph 1 as being undertaken on that date.

4. Where a safety case is prepared after the relevant operation has commenced references in regulation 2(2)(b) and Schedule 1 to the operation intended to be undertaken by the person or duty holder respectively, shall include references to the operation already commenced by him.

5. In this Schedule “relevant operation” in relation to regulation 3(1)(a) and (b), 4 or 5 means the activity which would, apart from this Schedule, be prohibited by that regulation.

SCHEDULE 4

Regulation 13

REVOCATIONS OF THE RAILWAYS REGULATIONS 1992

Column 1 Regulation	Column 2 Extent of revocation
Regulation 8	Paragraphs (6) to (11).
Regulation 9	In paragraph (4) the words “other than a dispute falling within paragraph (7)”. Paragraphs (7) and (8).
Regulation 14	In paragraph (1) the references to paragraphs (6), (7), (8), (9) and (10) of regulation 8 and paragraph (8) of regulation 9.

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Column 1	Column 2
Regulation	Extent of revocation
Regulation 15	The whole regulation.