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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into effect a binational regulation signed on 25 October 2005 on behalf of the Governments of the United Kingdom of Great Britain and Northern Ireland and the French Republic by the Intergovernmental Commission. The purpose of that Regulation is to implement Council Directive [91/440/EEC](#) of the Council of 29 July 1991 on the development of the Community's railways, as amended by Directive [2001/12/EC](#) dated 26 February 2001 and Directive [2004/51/EC](#) dated 29 April 2004, both of the European Parliament and of the Council, Council Directive [95/18/EC](#) dated 19 June 1995 on the licensing of railway undertakings, as amended by Directive [2001/13/EC](#) dated 26 February 2001 of the European Parliament and of the Council, and Directive [2001/14/EC](#) of the European Parliament and of the Council on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification for the Channel Tunnel. The text of the binational regulation is set out in the Schedule to this Order.

A separate Regulatory Impact Assessment has not been prepared in respect of this Order, but Appendix A of the First Rail Package Transposition Regulations – Regulatory Impact Assessment sets out the relevant considerations. A copy can be obtained from the Department for Transport, Great Minister House, 76 Marsham Street, London, SW1P 4DR. A copy has been placed in the Library of each House of Parliament.

A copy of the Transposition Note is also available from the Department for Transport.

Copies of the Regulatory Impact Assessment for the First Rail Package (see [S.I.2005/3049](#) and [S.I.2005/3050](#)) and of the Transposition Note for this Order may also be accessed on the Office for Public Sector Information website [www.opsi.gov.uk](http://www.opsi.gov.uk).