

EXPLANATORY MEMORANDUM TO
THE RAILWAYS AND OTHER GUIDED TRANSPORT SYSTEMS (SAFETY)
(AMENDMENT) REGULATIONS 2006

S.I. 2006/ 1057

1. This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 This explanatory memorandum relates to an amendment to Schedule 6 paragraph 4 of the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (S.I. 2006/599) which is necessary to correct an error. The amendment will have the effect of amending the Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Amendment and Specification) Order 2003 by omitting reference to the Railways Safety Case Regulations 2000 (S.I. 2000/2688) which are revoked by S.I. 2006/599 with effect from 1st October 2006 and will add from 10th April 2006 reference to Parts 2 and 3 of S.I. 2006/599.

2.2 This explanatory memorandum should be read together with the explanatory memorandum to The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (S.I. 2006/599) and The Railways (Access to Training Services) Regulations 2006 (S.I. 2006/598)

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 In order to ensure that the policy as consulted on by the Health and Safety Commission is given effect to and that the error in S.I. 2006/599 is corrected at the earliest opportunity it is, regrettably, proposed to breach the 21 day rule. The amendment is technical in nature and it is desirable that the amendment is made in line with the anticipated 10th April 2006 coming into force date of S.I. 2006/599. As this Statutory Instrument has been printed to correct an error in SI 2006/599, it is being issued free of charge to all known recipients of that Statutory Instrument.

4. Legislative background

4.1 These regulations are made under the Health and Safety at Work etc. Act 1974.

5. Extent

5.1 These regulations apply to Great Britain.

6. European Convention on Human Rights

6.1 As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

7 **Policy background**

7.1 These regulations make a minor amendment to S.I. 2006/599 to ensure that the policy as originally consulted on by the Health and Safety Commission is fully given effect to. The amendment to the Enterprise Act 2002 (Part 9 Restrictions on Disclosure of Information) (Amendment and Specification) Order 2003 which will be effected by these regulations will ensure that references in that Order to the Railways Safety Case Regulations 2000 which are revoked by S.I. 2006/599 are removed and that reference to the relevant parts of S.I. 2006/599 are added.

8. **Impact**

8.1 These regulations will have no impact on resources.

9. **Contacts**

9.1 Queries on these regulations should be addressed to Gabriel Hammond at the Office of Rail Regulation - (tel: 020-7282 3943
e mail:Gabriel.hammond@orr.gsi.gov.uk)