
STATUTORY INSTRUMENTS

2006 No. 599

**The Railways and Other Guided Transport
Systems (Safety) Regulations 2006**

PART 4

SAFETY CRITICAL WORK

Interpretation and application of Part 4

23.—(1) In this Part—

“assessor” means any person who is competent to make an impartial and objective assessment of another person’s competence or fitness to carry out safety critical work, and related expressions shall be construed accordingly;

“controller of safety critical work” means any person controlling the carrying out of safety critical work on a transport system or in relation to a vehicle used on a transport system;

“fitness” means physical and mental fitness, and related expressions shall be construed accordingly;

“installation” includes the installation, examination or testing of components;

“maintenance” includes repair work, reconditioning, examination, testing or alteration;

“operator” means any person carrying on an undertaking which includes a transport system or any part of it or the provision of transport services on such a system;

“safety critical task” means—

- (a) in relation to a vehicle used on a transport system—
 - (i) driving, dispatching or any other activity which is capable of controlling or affecting the movement of that vehicle;
 - (ii) signalling, and signalling operations, the operation of level crossing equipment, receiving and relaying of communications or any other activity which is capable of controlling or affecting the movement of that vehicle;
 - (iii) coupling or uncoupling;
 - (iv) installation of components, other than where the installation of those components is subject to supervision and checking by a safety critical worker or a controller of safety critical work;
 - (v) maintenance, other than where the carrying out of that maintenance is subject to supervision and checking by a safety critical worker or a controller of safety critical work; or
 - (vi) checking that that vehicle is working properly and, where carrying goods, is correctly loaded before being used;
- (b) in relation to a transport system—

- (i) installation or maintenance of any part of it or of the telecommunications system relating to it or used in connection with it, or of the means of supplying electricity directly to that transport system or to any vehicles using it or to the telecommunications system other than where the carrying out of that task is subject to supervision and checking by a safety critical worker or a controller of safety critical work;
 - (ii) controlling the supply of electricity directly to it or to any vehicles used on it;
 - (iii) receiving and relaying of communications; or
 - (iv) any person ensuring the safety of any persons working on or near to the track, whether or not the persons working on or near to the track are carrying out safety critical work;
- (c) in relation to training, any practical training or the supervision of any such training in any of the tasks set out in sub-paragraphs (a) to (b),

which could significantly affect the health or safety of persons on a transport system;

“safety critical work” means any safety critical task carried out by any person in the course of their work or voluntary work on or in relation to a transport system and related expressions shall be construed accordingly; and

“telecommunications system” means any telecommunications system provided by a transport operator or its associated equipment, which is capable of controlling or affecting the movement of a vehicle, or which is provided by a transport operator for purposes which include calling the emergency services.

(2) Any reference in this Part to a safety critical worker or a controller of safety critical work supervising and checking the work of another person is to a safety critical worker or a controller of safety critical work who has been assessed as competent in the tasks to which that supervision and checking relates.

(3) Any reference in this Part to a person controlling the carrying out of safety critical work is a reference to a person managing, supervising or controlling that work in connection with the carrying on by him of a trade, business or other undertaking (whether or not for profit).

(4) This Part shall not apply to or in relation to—

- (a) the police, ambulance or fire service when they are carrying out their emergency functions on or in relation to a transport system; and
- (b) any voluntary worker for a period of twelve months from the date of the coming into force of this Part.