

2008 No. 2366

CHANNEL TUNNEL

RAILWAYS

**The Channel Tunnel (International Arrangements) (Amendment)
Order 2008**

<i>Made</i> - - - -	<i>3rd September 2008</i>
<i>Laid before Parliament</i>	<i>9th September 2008</i>
<i>Coming into force</i> - -	<i>8th October 2008</i>

The Secretary of State for Transport makes the following Order in exercise of the powers conferred by section 11 of the Channel Tunnel Act 1987:

Citation and commencement

1. This Order may be cited as the Channel Tunnel (International Arrangements) (Amendment) Order and shall come into force on 8th October 2008(a).

Amendment of the Channel Tunnel (International Arrangements) Order 2005

2.—(1) The Channel Tunnel (International Arrangements) Order 2005(b) is amended as follows.

(2) In article 2 (Interpretation) after the definition of “international articles” insert—

““Office of Rail Regulation” means the body established under section 15 of the Railways and Transport Safety Act 2003(c);”.

(3) After article 4 (Regulatory body) insert—

“Role of the Office of Rail Regulation

4A.—(1) If called upon by the Intergovernmental Commission the Office of Rail Regulation shall provide to that body such assistance as it may require for the purpose of carrying out the functions under article 12 of the international articles.

(2) With a view to facilitating the performance of the obligations under article 4(1) by the Intergovernmental Commission the Secretary of State must exercise the power of appointment under article 10.4 of the Treaty so as to ensure that at least two members of the Intergovernmental Commission are appointed following consultation by the Secretary of State with the Office of Rail Regulation.”.

(a) 1987 c.53.
(b) S.I. 2005/3207.
(c) 2003 c.20.

Signed on behalf of the Secretary of State for Transport

3rd September 2008

Tom Harris
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends The Channel Tunnel (International Arrangements) Order 2005.

Article 2(3) of this Order gives the Office of Rail Regulation the function of meeting requests for assistance from the Intergovernmental Commission for the purpose of carrying out its functions as the regulatory body for the Channel Tunnel under article 12 of the Schedule to the 2005 Order. For the purpose of facilitating the performance of those functions by the Intergovernmental Commission, article 2(3) also requires that the Secretary of State appoints at least two members to the Intergovernmental Commission after consulting the Office of Rail Regulation.

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£4.00