
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement, for Great Britain, Directive [2007/59/EC](#) of the European Parliament and of the Council of 23rd October 2007 on “the certification of train drivers operating locomotives and trains on the railway system in the Community” (Official Journal No. L 315, 3.12.2007, p.51).

They establish a regime for the licensing and certification of train drivers who drive trains on the mainline railway network. Railway undertakings and infrastructure managers are not to deploy a person to drive a train on that network unless the person is the holder of a licence and a certificate. The licence is recognised by other European Member States and indicates satisfaction of medical checks and possession of general professional competence. The certificate indicates the infrastructure on which the holder is authorised to drive and the rolling stock which the holder is authorised to drive (*regulation 4*). Licences may be granted by the Office of Rail Regulation (*regulation 8*), and certificates may be granted by railway undertakings and infrastructure managers (*regulation 9*).

Associated provisions are included, in particular provision for the training and examination of train drivers (*Part 8*), the establishment of registers of licences and certificates (*regulations 24 and 25*), the suspension and withdrawal of licences and certificates (*Part 6*) and enforcement (*regulation 38*).

The requirements to have a licence and certificate are introduced in phases over a number of years, but the Office of Rail Regulation, railway undertakings and infrastructure managers are empowered to issue licences and certificates in advance of their becoming mandatory (*regulation 39*).

An impact assessment of the effect these Regulations will have on the costs of business can be obtained from the International Rail Division, Department for Transport, Great Minister House, 76 Marsham Street, London SW1P 4DR. A transposition note in relation to the implementation of the train driver licensing Directive by these Regulations can also be obtained from this address. They are also annexed to the Explanatory Memorandum published with these Regulations on the website of the Office of Public Sector Information, www.opsi.gov.uk.