Status: Point in time view as at 31/12/2020.
Changes to legislation: There are currently no known outstanding effects for the The
Railways (Interoperability) Regulations 2011, Section 15. (See end of Document for details)

STATUTORY INSTRUMENTS

2011 No. 3066

The Railways (Interoperability) Regulations 2011

PART 2

Subsystems

Essential requirements for project subsystems

15.—(1) For the purposes of these Regulations, the essential requirements for a project subsystem are deemed to be met if the project subsystem conforms with —

    (a) all applicable [**F1**NTSNs];

    (b) where paragraph (2) applies, the requirements of all applicable [**F2**NTRs], subject to any dispensation granted under regulation 46(1); and

    (c) where such a dispensation applies, any conditions of that dispensation.

[**F3**(1A) For the purposes of paragraph (1)(a), a project subsystem is deemed to conform with an applicable NTSN, save for any UK specific case set out in that NTSN, if—

    (a) the person applying for an authorisation provides evidence that the project subsystem has been assessed under EU law as conforming with a TSI in force at the time when the application for authorisation is made; and

    (b) the applicable NTSN specifies that it substantially reproduces the provisions of that TSI, in accordance with regulation 3B(7).]

  (2) This paragraph applies to a project subsystem where—

    (a) there are no applicable [**F4**NTSNs];

    (b) a relevant [**F5**NTSN] does not govern all elements of the project subsystem;

  [**F6**(c) an exemption from conformity with the whole or part of a relevant NTSN has been granted in accordance with regulations 14 and 14A in relation to that subsystem; or]

    (d) the Competent Authority has determined under regulation 13 that the whole or part of [**F7**an NTSN] does not apply to that subsystem.

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F4   Word in reg. 15(2)(a) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(21)(d)(i)**; 2020 c. 1, Sch. 5 para. 1(1)

F5   Word in reg. 15(2)(b) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(21)(d)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)

F6   Reg. 15(2)(c) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(21)(d)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

F7   Words in reg. 15(2)(d) substituted (31.12.2020) by The Railways (Interoperability) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/345), regs. 1(2), **2(21)(d)(iv)**; 2020 c. 1, Sch. 5 para. 1(1)