
STATUTORY INSTRUMENTS

2015 No. 785

**The Channel Tunnel (International Arrangements)
(Charging Framework and Transfer of
Economic Regulation Functions) Order 2015**

Citation and commencement

1.—(1) This Order may be cited as the Channel Tunnel (International Arrangements) (Charging Framework and Transfer of Economic Regulation Functions) Order 2015.

(2) This Order comes into force on the date when the IGC regulation comes into force, as provided for in Article 8 of that regulation.

(3) The Secretary of State for Transport must give notice in the London, Edinburgh and Belfast Gazettes of the date provided for in paragraph (2).

Interpretation

2. In this Order—

”the 2005 Order” means the Channel Tunnel (International Arrangements) Order 2005(1);

”the 2005 Regulations” means the Railways Infrastructure (Access and Management) Regulations 2005(2);

”the 2015 Regulations” means the Railways Infrastructure (Access and Management) (Amendment) Regulations 2015(3);

”the IGC regulation” means the regulation of the Intergovernmental Commission of 23rd March 2015 transferring economic rail regulation competence from the Intergovernmental Commission to the national regulatory bodies, setting out principles for cooperation between them and establishing a charging framework for the Channel Fixed Link; and

”Intergovernmental Commission” means the Commission established pursuant to Article 10 of the Treaty(4).

Application of the IGC regulation

3. The IGC regulation, the text of which is set out in the Schedule, has effect.

Revocation

4. The 2005 Order, the Channel Tunnel (International Arrangements) (Amendment) Order 2008(5) and the Channel Tunnel (International Arrangements) (Amendment) Order 2009(6) are revoked.

(1) [S.I. 2005/3207](#), amended by [S.I. 2008/2366](#) and [2009/2081](#). All those instruments are revoked by this Order.

(2) [S.I. 2005/3049](#), amended by [S.I. 2009/1122](#) and [2011/1043](#) and by the 2015 Regulations.

(3) [S.I. No 2015/786](#).

(4) “Treaty” is defined in section 1(4) of the Channel Tunnel Act 1987.

(5) [S.I. 2008/2366](#).

(6) [S.I. 2009/2081](#).

Supplemental provisions and savings

5.—(1) This article is subject to Article 5 of the IGC regulation.

(2) In any case where the 2005 Regulations, as amended by the 2015 Regulations, make provision equivalent to that made under or by virtue of the 2005 Order before its revocation by this Order, then—

- (a) in so far as anything done by any person under or by virtue of the 2005 Order could have been done by that person under such provisions of the 2005 Regulations as so amended, it is to have effect as if so done; and
- (b) in so far as anything that is in the process of being done by any person under or by virtue of the 2005 Order, immediately before its revocation, could continue to be done by that person under such provisions of the 2005 Regulations as so amended, it may continue to be so done.

(3) Anything done or in the process of being done by the Intergovernmental Commission under or by virtue of the 2005 Order is to be treated as done or in the process of being done by the Office of Rail Regulation⁽⁷⁾.

Signed by authority of the Secretary of State for Transport

24th March 2015

Kramer
Minister of State
Department for Transport

(7) The Office of Rail Regulation was established by section 15 of the Railways and Transport Safety Act 2003 (c.20).