
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 537

The Railways Infrastructure (Access, Management
and Licensing of Railway Undertakings)
Regulations (Northern Ireland) 2005

PART V

ALLOCATION OF INFRASTRUCTURE CAPACITY

Use of train paths

24.—(1) Subject to paragraph (2) the infrastructure manager must, in particular where infrastructure has been declared congested in accordance with regulation 21, require an applicant who has, over a period of at least one month, used a train path less often than the threshold quota stipulated in the network statement, to surrender that train path.

(2) Paragraph (1) does not apply if in the view of the infrastructure manager, the failure to use the train path in accordance with the threshold quota stipulated in the network statement arose as a result of non-economic reasons outside the control of the applicant.

(3) The infrastructure manager may in the network statement specify conditions under which previous levels of capacity utilisation will be taken into account in determining the priorities to be used in making decisions on the allocation of capacity.