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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 537**

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

PART VIII

STATEMENTS OF NATIONAL REGULATORY PROVISIONS

**Referral for Commission's opinion**

**37.**—(1) A railway undertaking may at any time refer to the European Commission the question of whether a condition included in a SNRP—

- (a) is compatible with Community law, or
- (b) has been applied in a non-discriminatory manner.

(2) Where a railway undertaking refers a question referred to in paragraph (1) to the European Commission, and the European Commission delivers an opinion that a requirement imposed through a condition in a SNRP is incompatible with Community law or has been applied in a discriminatory manner, the Department shall review the condition.