
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 237

**THE RAILWAYS (SAFETY MANAGEMENT)
REGULATIONS (NORTHERN IRELAND) 2006**

PART II

SAFETY MANAGEMENT, CERTIFICATION AND AUTHORISATION

Use of infrastructure

3.—(1) After 30th June 2006 no person shall operate a train in relation to any infrastructure unless—

- (a) he has established and is maintaining a safety management system which meets the requirements set out in regulation 4(1) to (3); and
- (b) he holds a current safety certificate in relation to that operation,

except to the extent that he is doing so within an engineering possession.

(2) After 30th June 2006 no person who is responsible for developing and maintaining infrastructure shall manage and use it, or permit it to be used, for the operation of trains unless—

- (a) he has established and is maintaining a safety management system which meets the requirements referred to in regulation 4(4);
- (b) he holds a current safety authorisation in relation to that infrastructure; and
- (c) where he is using it or permitting such use, the person who is to use the infrastructure has complied with paragraph (1)(b)

(3) Paragraphs (1) and (2) shall not apply where the operation in question is only carried out on a railway on no part of which there is a permitted maximum speed exceeding 40 kilometres per hour and where the operator has furnished the Department with a risk assessment and the Department has approved that risk assessment.