
STATUTORY INSTRUMENTS

2005 No. 3050

TRANSPORT

The Railway (Licensing of Railway
Undertakings) Regulations 2005

Made - - - - - *1st November 2005*
Laid before Parliament *4th November 2005*
Coming into force *28th November 2005*

THE RAILWAY (LICENSING OF RAILWAY
UNDERTAKINGS) REGULATIONS 2005

PART 1

GENERAL

1. Citation, commencement and extent
2. Interpretation
3. Repeals and revocations, and consequential amendments
4. Scope

PART 2

EUROPEAN LICENCES

5. Prohibition of unlicensed provision of services
6. Appointment of licensing authority and grant of European licences
7. Validity of European licences
8. Monitoring, suspension and revocation of European licences

PART 3

STATEMENTS OF NATIONAL REGULATORY PROVISIONS

9. Prohibition on operating trains without a statement of national regulatory provisions
10. Statements of national regulatory provisions (“SNRPs”)
11. Conditions of SNRPs
12. Referral for Commission’s opinion
13. Modification of SNRPs by consent

Status: This is the original version (as it was originally made).

14. Application and modification of statutory provisions in relation to SNRPs and SNRP holders

PART 4

MISCELLANEOUS

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 16. Offences by bodies corporate and Scottish partnerships
 17. General duties of the Rail Passengers' Council
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 19. Duties of the London Transport Users' Committee
 20. Transitional provisions relating to existing licences and licence exemptions
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SCHEDULE 1 — AMENDMENTS, REPEALS AND REVOCATIONS

PART 1 — AMENDMENTS AND REPEALS OF PRIMARY LEGISLATION

1. The Railway Fires Act 1905
2. The Insolvency Act 1986
3. The Railways Act 1993
4. The Civil Contingencies Act 2004
5. The Railways Act 2005
6. In section 59 of that Act (consequential amendments, transitional provisions...

PART 2 — AMENDMENTS AND REVOCATIONS OF SECONDARY LEGISLATION

7. The Town and Country Planning (Control of Advertising) Regulations 1992
8. The Railways (Amendment) Regulations 1998
9. The London Underground (East London Line Extension) (No. 2) Order 2001
10. The Docklands Light Railway (Silvertown and London City Airport Extension) Order 2002
11. The Docklands Light Railway (Woolwich Arsenal Extension) Order 2004
12. The British Transport Police (Police Services Agreement) Order 2004
13. The Central Rating List (Wales) Regulations 2005
14. Central Rating List (England) Regulations 2005

SCHEDULE 2 — QUALIFICATIONS FOR EUROPEAN LICENCE

1. Good repute
2. Without prejudice to the generality of its powers under paragraph...
3. (1) For the purposes of paragraph 2, a person has...
4. (1) Any reference in paragraph 3 to an offence under...
5. In paragraphs 1 and 2 the reference to any appropriate...
6. Financial fitness
7. For the purpose of demonstrating its financial fitness a railway...
8. The ORR shall not find the railway undertaking to be...
9. Without prejudice to regulation 6(6), the ORR may request that...
10. Professional competence
11. Insurance Cover

SCHEDULE 3 — APPLICATION AND MODIFICATION OF STATUTORY PROVISIONS IN RELATION TO SNRPS AND SNRP HOLDERS

PART 1 — APPLICATION AND MODIFICATION OF STATUTORY PROVISIONS

1. Application and modification of statutory provisions to SNRPs and SNRP holders

PART 2 — OTHER MODIFICATIONS OF STATUTORY PROVISIONS

2. Railway administration orders
3. Modification references to the Competition Commission
4. In section 15 of that Act (modification following report), subsection...
5. In section 15B of that Act (making of modifications by...
6. Orders for securing compliance
7. Keeping of register by the ORR
8. Enterprise Act 2002: regulated markets
9. Amendment of access agreements

SCHEDULE 4 — TRANSITIONAL PROVISIONS RELATING TO EXISTING LICENCES AND LICENCE EXEMPTIONS

1. The relevant date
2. Existing licences granted under the Railways Act 1993
3. (1) To the extent that the licence authorises the provision...
4. (1) To the extent that the licence relates to the...
5. Existing licences granted pursuant to the Railways Regulations 1998
6. To the extent that the licence authorises the provision of...
7. (1) The holder of the licence shall be deemed to...
8. Applications for licences under the Railways Act 1993 or the Railways Regulations 1998
9. Existing licence exemptions granted under the Railways Act 1993
10. To the extent that a person is exempted, by virtue...
11. The European licence referred to in paragraph 10(a) shall be...
12. The SNRP referred to in paragraph 10(b) shall be in...
13. Regulations 7 and 8 and 15 to 19 shall apply...
14. Regulations 10(3) and 11 to 19 shall apply in relation...

Explanatory Note