
STATUTORY INSTRUMENTS

2007 No. 3531

**CHANNEL TUNNEL
HEALTH AND SAFETY**

The Channel Tunnel (Safety) Order 2007

Made - - - - 13th December 2007

Laid before Parliament 18th December 2007

Coming into force in accordance with article 1(1)

THE CHANNEL TUNNEL (SAFETY) ORDER 2007

1. Citation, commencement and extent
 2. Interpretation
 3. Regulation has the force of law
 4. Enforcement of the Regulation
 5. Access to training facilities
 6. Civil liability
 7. Investigations into accidents and incidents
 8. Power to impose charges
 9. Amendments to the Channel Tunnel (International Arrangements) Order 2005
 10. Amendment to the Railways and Other Guided Transport Systems (Safety) Regulations 2006
- Signature

SCHEDULE — REGULATION OF THE INTERGOVERNMENTAL
COMMISSION ON THE SAFETY OF THE CHANNEL FIXED
LINK

Chapter 1

1. Definitions

Chapter 2 — *Duties and responsibilities*

2. Safety Authority
3. The Intergovernmental Commission, taking into account the specific characteristics of...
4. The tasks of the Intergovernmental Commission, as Safety Authority, shall...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

5. (a) The Intergovernmental Commission shall perform its tasks in an...
6. (a) To carry out the aforementioned tasks, the Intergovernmental Commission:...
7. The Intergovernmental Commission may duly authorise persons for the purposes...
8. The Concessionaires and the railway undertakings shall provide information on...
9. The Concessionaires and any railway undertakings which use the Common...
10. In order to monitor and evaluate the implementation of the...
11. Infrastructure manager
12. Without prejudice to civil liability established in conformity with legal...
13. For this purpose and without prejudice to their responsibilities under...
14. Railway undertakings
15. For this purpose railway undertakings shall take all appropriate measures...
16. Annual safety report
17. Unified safety rules
18. The unified safety rules supplement the requirements of the technical...
19. The Intergovernmental Commission shall, taking into account the specific characteristics...
20. The Intergovernmental Commission shall advise the governments of France and...
21. In developing the unified safety rules, the Intergovernmental Commission shall...
 - Chapter 3 — *Safety management systems, safety authorisation of Concessionaires and Part B certification of railway undertakings*
22. Safety management systems (SMS)
23. The Concessionaires' safety management system shall meet the requirements and...
24. The Concessionaires' safety management system shall take account of the...
25. The Concessionaires' safety management system shall contain the necessary provisions...
26. Railway undertakings must provide proof to the Intergovernmental Commission of...
27. Safety authorisation for the Concessionaires
28. The safety authorisation confirms acceptance by the Intergovernmental Commission of:...
29. The Intergovernmental Commission shall provide guidance on the procedures for...
30. The period of validity of a safety authorisation shall not...
31. The Concessionaires must submit any request for renewal of their...
32. The Intergovernmental Commission shall take a decision on an application...
33. Unless otherwise agreed with the Intergovernmental Commission, all applications for...
34. (a) The Concessionaires shall without delay inform the Intergovernmental Commission...
35. The Intergovernmental Commission may require that the safety authorisation be...
36. If the Intergovernmental Commission finds that the Concessionaires no longer...
37. The Intergovernmental Commission shall inform the Agency, within one month,...

38. A safety authorisation issued by the Intergovernmental Commission to the...
39. Part B certification for railway undertakings
40. A part B certificate may only be granted for rail...
41. The duration of validity of the Part B certificate shall...
42. In order to obtain a Part B certificate, a railway...
43. To avoid duplication of work and reduce the amount of...
44. Unless otherwise agreed with the Intergovernmental Commission, all applications for...
45. The Part B certificate confirms acceptance by the Intergovernmental Commission...
46. Railway undertakings shall, on request, produce to the Concessionaires their...
47. The Intergovernmental Commission shall take a decision on applications for...
48. The Intergovernmental Commission shall seek the Concessionaires' opinion on any...
49. The Intergovernmental Commission shall provide guidance on the procedures for...
50. In order to renew a Part B certificate a railway...
51. The holder of a Part B certificate shall without delay...
52. (a) The holder of a Part B certificate shall inform...
53. The Intergovernmental Commission may require that the relevant sections of...
54. If the Intergovernmental Commission finds that the holder of a...
55. The Intergovernmental Commission shall revoke the Part B certificate if...
Chapter 4 — *Specific provisions for training of train drivers and staff performing vital safety tasks*
56. Access to training facilities
57. (a) Training must cover knowledge of the relevant aspects of...
58. The provision of training services and, where appropriate, the issue...
59. If the training services are only offered by a single...
60. Persons currently or previously employed as train drivers and staff...
Chapter 5 — *Provisions relating to rolling stock*
61. Authorisation of railway undertakings' in-use rolling stock
62. The applicant for this authorisation shall submit a technical file...
63. The Intergovernmental Commission shall seek the advice of the Concessionaires...
64. The Intergovernmental Commission shall inform the railway undertaking of its...
65. The Intergovernmental Commission shall inform the Concessionaires of its decision...
66. Any approval or authorisation of rolling stock for use on...
Chapter 6 — *Investigations into accidents and incidents*
67. Investigations into serious accidents and those incidents and accidents which,...
68. In deciding whether to carry out an investigation and in...
69. The Intergovernmental Commission, the Concessionaires and the railway undertakings may...
70. The Concessionaires, the railway undertakings and if necessary the Intergovernmental...
71. The Intergovernmental Commission shall take the measures necessary to ensure...
72. The Intergovernmental Commission shall report back at least annually to...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Chapter 7 — *Transitional and miscellaneous provisions*

- 73. Transitional provisions on safety authorisation and Part B certificates
- 74. (a) Any notification of acceptance (including revisions to it) which...
- 75. Miscellaneous provisions
- 76. The decisions of the Intergovernmental Commission taken by virtue of...
- 77. This Regulation shall enter into force on the date of...

Annex 1 — **SAFETY MANAGEMENT SYSTEMS**

- 1. Requirements on the safety management system
- 2. Basic elements of the safety management system

Annex 2 — **COMMON SAFETY INDICATORS**

- 1. Indicators relating to accidents
- 2. Indicators relating to incidents and near-misses
- 3. Indicators relating to consequences of accidents
- 4. Indicators relating to technical safety of infrastructure and its implementation
- 5. Indicators relating to the management of safety
- 6. Additional indicators.

Explanatory Note