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STATUTORY INSTRUMENTS

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**2011 No. 3066**

**The Railways (Interoperability) Regulations 2011**

**PART 3**

**Interoperability Constituents**

**Effect of conformity and suitability declarations**

**26.**—(1) An interoperability constituent in relation to which an EC declaration of conformity or suitability for use has been drawn up is presumed for the purpose of these Regulations to—

- (a) meet such of the essential requirements as relate to an interoperability constituent of that type; and
- (b) conform to the applicable TSI,

unless there are reasonable grounds for believing that it does not so conform.

(2) The presumption set out in paragraph (1) does not apply where a person fails or refuses to make available to the Safety Authority the documentation which the person is required to retain by any of the procedures for assessing the conformity or suitability for use of that interoperability constituent or a copy of that documentation.