

STATUTORY INSTRUMENTS

2006 No. 397

The Railways (Interoperability) Regulations 2006

PROSPECTIVE

PART 2

Subsystems

Duty on operator to ensure essential requirements are met

12.—(1) This regulation applies where a project subsystem is in use on, or is part of, the high-speed rail system or the conventional TEN rail system pursuant to an authorisation under regulation 4.

(2) The operator of the project subsystem shall ensure that the project subsystem, notwithstanding any alterations, is operated and maintained—

- (a) in accordance with the essential requirements relevant to that subsystem;
- (b) subject to paragraph (c), in conformity with the TSIs and notified national technical rules against which the subsystem was assessed for that authorisation;
- (c) where a TSI and notified national technical rule referred to in paragraph (b) has been varied and replacement parts which conform to the TSI or notified national technical rule against which it was assessed are no longer available, in conformity with that varied TSI or rule; and
- (d) in conformity with any functional TSI applying to that subsystem.

Commencement Information

11 Reg. 12 in force at 2.4.2006, see [reg. 1\(3\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Railways (Interoperability) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2011/3066](#) reg. 47(1)
- reg. 12 coming into force by [S.I. 2006/397](#) reg. 1(3)
- reg. 12(2) words inserted by [S.I. 2008/1746](#) reg. 4(8)(a)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 4(9A) inserted by [S.I. 2008/1746](#) reg. 4(4)(c)
- reg. 4A4B inserted by [S.I. 2008/1746](#) reg. 4(5)
- reg. 11(7) inserted by [S.I. 2008/1746](#) reg. 4(7)
- reg. 12(3)-(6) inserted by [S.I. 2008/1746](#) reg. 4(8)(b)
- reg. 33(1A) inserted by [S.I. 2008/1746](#) reg. 4(9)