

Status: This version of this schedule contains provisions that are 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. (See end of Document for details) View outstanding changes

PROSPECTIVE

SCHEDULE 7

Regulation 2(2)

(This Schedule substantially reproduces the provisions of Annex IV to the High-Speed Directive and to the Conventional Directive)

Commencement Information

II Sch. 7 in force at 2.4.2006, see [reg. 1\(3\)](#)

CONFORMITY AND SUITABILITY FOR USE OF INTEROPERABILITY CONSTITUENTS

INTEROPERABILITY CONSTITUENTS

1. The “EC” declaration applies to the interoperability constituents involved in the interoperability of the trans-European high-speed rail systems and the trans-European conventional rail system, as referred to in Article 3 of the High-Speed Directive and Article 3 of the Conventional Directive. These interoperability constituents may be:

1.1 Multiple-use constituents

These are constituents that are not specific to the trans-European high-speed or trans-European conventional rail systems and which may be used as such in other areas.

1.2 Multiple-use constituents having specific characteristics

These are constituents which are not, as such, specific to the trans-European high-speed or trans-European conventional rail systems, but which must display specific performance levels when used for railway purposes.

1.3 Specific constituents

These are constituents that are specific to railway applications.

SCOPE

2. The “EC” declaration covers:

- either the assessment by a notified body or bodies of the intrinsic conformity of an interoperability constituent, considered in isolation, to the technical specifications to be met;
- or the assessment/judgement by a notified body or bodies of the suitability for use of an interoperability constituent, considered within its railway environment and, in particular in cases where the interfaces are involved, in relation to the technical specifications, particularly those of a functional nature, which are to be checked.

The assessment procedures implemented by the notified bodies at the design and production stages will draw upon the modules defined in Decision [93/465/EEC\(1\)](#), in accordance with the conditions referred to in the TSIs.

(1) OJ L 220, 30.8.1993, p. 23.

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CONTENTS OF THE 'EC' DECLARATION

3. The 'EC' declaration of conformity or of suitability for use and the accompanying documents must be dated and signed.

That declaration must be written in the same language as the instructions and must contain the following:

- the Directive references;
- the name and address of the manufacturer or his authorised representative established within the Community (give trade name and full address, in the case of the authorised representative, also give the trade name of the manufacturer or constructor);
- description of interoperability constituent (make, type, etc.);
- description of the procedure followed in order to declare conformity or suitability for use (Article 13 of the High-Speed Directive or Article 13 of the Conventional Directive);
- all the relevant descriptions met by the interoperability constituent and, in particular, its conditions of use;
- name and address of the notified body or bodies involved in the procedure followed in respect of conformity or suitability for use and date of examination certificate together with, where appropriate, the duration and conditions of validity of the certificate;
- where appropriate, reference to the European specifications;
- identification of the signatory empowered to enter into commitments on behalf of the manufacturer or of the manufacturer's authorised representative established within the Community.

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Changes and effects yet to be applied to :

- Sch. 7 coming into force by [S.I. 2006/397 reg. 1\(3\)](#)
- Regulations revoked by [S.I. 2011/3066 reg. 47\(1\)](#)

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\(9\)](#)