Railway safety and connectivity with regard to the withdrawal of the United Kingdom from the Union

2019/0040(COD) - 27/03/2019 - Final act

PURPOSE: to ensure the validity of safety authorisations for certain parts of the rail infrastructure and the connectivity of rail transport with the United Kingdom in the event of Brexit without a withdrawal agreement.

LEGISLATIVE ACT: Regulation (EU) 2019/503 of the European Parliament and of the Council on certain aspects of railway safety and connectivity with regard to the withdrawal of the United Kingdom from the Union.

CONTENT: the Regulation introduces temporary measures to extend certain approvals, certificates and licences in order to ensure the continuity of rail services between the EU and the United Kingdom, without disruption, in the event that the United Kingdom leaves the EU without a withdrawal agreement. This measure concerns, in particular, the Channel Tunnel and shall be subject to the United Kingdom maintaining safety standards identical to EU requirements.

Validity

Safety authorisations, safety certificates, operating licences and train driver licences shall be valid for **nine months** from the date of application of the Regulation in order to allow the parties concerned to conclude the necessary agreements and to take any other necessary measures to prevent disturbances, taking into account the third-country status of the United Kingdom.

Controls

The rail operators and the national authorities shall take the required measures speedily to ensure that certificates, authorisations and licences falling under this Regulation are issued in good time before this Regulation ceases to apply, and that other certificates, autorisations and licences required to operate on Union territory are issued before the date of the United Kingdom's withdrawal.

The National Safety Authority shall monitor the railway safety standards applied to railway undertakings established in the United Kingdom using the cross-border infrastructure linking the Union and the United Kingdom. In addition, the National Safety Authority shall check that infrastructure managers comply with the safety requirements set out in Union law and that the train drivers operating on the territory under its jurisdiction fulfil the requirements set out in the relevant provisions of Union law.

Where the Commission has justified doubts that the safety standards applied to the operation of cross-border railway services or infrastructure falling within the scope of this Regulation or the part of the same infrastructure that is situated in the United Kingdom are in line with the relevant provisions of Union law, it shall without undue delay, adopt implementing acts to withdraw the benefit conferred on the holder.

ENTRY INTO FORCE: 28.3.2019. This Regulation shall apply from the day following that on which the Treaties cease to apply to the United Kingdom pursuant to Article 50(3) of the Treaty on European Union. It shall cease to apply nine months from the day on which it has become applicable.