STATUTORY RULES OF NORTHERN IRELAND

2014 No. 46

DISABLED PERSONS

TRANSPORT

The Rail Vehicle Accessibility (Applications for Exemption Orders) Regulations (Northern Ireland) 2014

Made - - - -	*25th February 2014*
Coming into operation	*28th April 2014*

The Department for Regional Development(**1**) makes the following Regulations in exercise of the powers conferred by section 47(2) of the Disability Discrimination Act 1995(**2**) and now vested in it(**3**).

In accordance with section 46(11) of the Disability Discrimination Act 1995 the Department has consulted with such representative organisations as it thinks fit.

Citation and commencement

1. These Regulations may be cited as the Rail Vehicle Accessibility (Applications for Exemption Orders) Regulations (Northern Ireland) 2014 and shall come into operation on 28 April 2014.

Interpretation

2.—(1) In these Regulations—

"the Act" means the Disability Discrimination Act 1995;

"exemption order" means an exemption order under section 47 of the Act(**4**);

"network" means any permanent way;

"network exemption order" means an exemption order which relates to a specified network;

"operator" in relation to a rail vehicle, means the person having the management of that vehicle;

"rail vehicle" means a rail vehicle constructed or adapted to carry passengers by rail;

(**1**) SI 1999/283.
(**2**) 1995 c.50; section 47 is modified in its application to Northern Ireland by paragraph 31 of Schedule 8; see section 68(1) as substituted by paragraph 47(1) of the said Schedule for the definition of "regulations".
(**3**) S.R. 1999 No.481 Article 6(d) and Schedule 4 Part IV.
(**4**) Section 47(1) and 1(A) were substituted for subsection (1), as originally enacted, by article 8(3) of the Disability Discrimination (Northern Ireland) Order 2006 (N.I. 1).

"railway" has the same meaning as in section 6 of the Railway Safety Act (Northern Ireland) 2002(**5**)

"RVAR" means the Rail Vehicle Accessibility Regulations (Northern Ireland) 2014(**6**).

(2) The Interpretation Act (Northern Ireland) 1954(**7**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Applications for exemption orders for rail vehicles

3.—(1) Subject to paragraph (2) an application for an exemption order in respect of a rail vehicle—

(a) may be made by—

(i) the operator of the vehicle; or

(ii) the owner of the vehicle;

(b) must be submitted to the Department in writing; and

(c) must contain the particulars specified in Schedule 1.

(2) Before making an application under paragraph (1) the owner of the rail vehicle must consult the operator of the vehicle, if a different person.

Applications for network exemption orders

4. An application for a network exemption order—

(a) may be made in respect of a network by a person having ownership or control of that network;

(b) must be submitted to the Department in writing; and

(c) must contain the particulars specified in Schedule 2.

Revocation

5. The Rail Vehicle (Exemption Applications) Regulations (Northern Ireland) 2001(**8**) are revoked.

Sealed with the Official Seal of the Department for Regional Development on 25th February 2014.

L.S.

Tom Reid
A senior officer of the
Department for Regional Development

(**5**) 2002 c.8.
(**6**) S.R. 2014/45
(**7**) 1954 c.33 (N.I.).
(**8**) S.R. 2001/265.