

SL1 – To Departmental Committee Clerk

Dear Michael,

The Railways Safety Act 2002 (Commencement No. 1) Order (Northern Ireland) 2026

The Department for Infrastructure proposes to make a Commencement Order under powers conferred by section 8(2) of the Railway Safety Act (Northern Ireland) 2002 (2002 c.8). (the 2002 Act)

The Commencement Order is not subject to any Assembly procedure and does not require to be laid before the Assembly.

Background

The Railway Safety Act (Northern Ireland) 2002 makes provision for safety on the railways, Section (1) provides for the general safety of railways and makes provision for the application of Part II of the Health and Safety at Work (Northern Ireland) Order to have effect in relation to railway operational safety.

Section 2 provides for the approval of any railway works, Plant and Equipment before they are brought into operation, such approvals are granted by the Department acting in its role as the Rail Safety Authority for Northern Ireland.

Section 3 makes provision for the formal Reporting of any accidents and the particular circumstances where such reporting is required. Such reports are to be made to the Department acting as the Rail Safety Authority.

Section 4 makes provision for the Department to give Directions to setting limits on speeds and loading on railways.

Section 5 makes provision for the detail and specification of signs and barriers to be used at level crossings.

Section 7 provided for consequential amendments and repeals.

Previous Engagement with the Committee

The Department has not previously engaged with the Infrastructure Committee on the operational measures contained within this Commencement Order since the Act was made and came into force. However, officials have previously briefed Members on the Department's intention to bring forward legislation in this area at its session on 5 November 2025.

Consultations

There is no requirement to consult on the proposed operational date specified in the Commencement Order.

Equality Impact

An Equality Impact Assessment is not required as the Commencement Order merely commences provisions in the 2002 Act.

Regulatory Impact

Not required in relation to a Commencement Order.

Rural Needs Impact

Not required in relation to a Commencement Order.

Data Protection Impact

Not required in relation to a Commencement Order.

Child Rights Impact

Not required in relation to a Commencement Order.

Position in Great Britain (if appropriate)

N/A

Any Other Information

None. Officials remain available to provide any additional information that the Committee may require.

Financial Implications

N/A

Compliance with Section 24 of the Northern Ireland Act 1998

The Department is satisfied that the sections of the 2002 Act being commenced remain compatible with section 24 of the Northern Ireland Act 1998 and Article 2(1) of the Windsor Framework.

Consideration by the Executive

Not required.

Proposed Timing of Consideration of the SL1

This SL1 has been submitted to the Committee in accordance with the minimum four-week timeframe, and the Department proposes that the Committee consider the SL1 in due course.

Proposed Operational Date

It is proposed that this Commencement Order will come into operation following it being made. A copy of the draft Commencement Order and the SL 5 will be issued to Committee in due course. You will wish to bring this matter to the attention of the Committee for Infrastructure.

Yours sincerely,



JOSEPH HEATH
Departmental Assembly Liaison Officer
Signed for The Department for Infrastructure

Committee for Infrastructure Clerk
Northern Ireland Assembly
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Date: 23 April 2026

cc: Human Rights Commission
Equality Commission