



Number 18 of 2020

**Railway Safety (Reporting and Investigation of Serious Accidents, Accidents
and Incidents Involving Certain Railways) Act 2020**



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**RAILWAY SAFETY (REPORTING AND INVESTIGATION OF SERIOUS
ACCIDENTS, ACCIDENTS AND INCIDENTS INVOLVING CERTAIN RAILWAYS)
ACT 2020**

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[No. 18.] *Railway Safety (Reporting and Investigation of Serious Accidents,
Accidents and Incidents Involving Certain Railways) Act 2020.* [2020.]

ACTS REFERRED TO

Railway Safety Act 2005 (No. 31)

Roads Act 1993 (No. 14)

Transport (Railway Infrastructure) Act 2001 (No. 55)



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RAILWAY SAFETY (REPORTING AND INVESTIGATION OF SERIOUS ACCIDENTS, ACCIDENTS AND INCIDENTS INVOLVING CERTAIN RAILWAYS) ACT 2020

An Act to provide for the reporting and investigation of serious accidents, accidents and incidents involving certain railways. [24th October, 2020]

Be it enacted by the Oireachtas as follows:

Interpretation

1. In this Act—

“heritage railway” has the same meaning as it has in the Railway Safety Act 2005;

“Investigation Unit” means the Railway Accident Investigation Unit established under Regulation 4 of the Regulations of 2014;

“light railway” and “metro” each has the same meaning as it has in the Transport (Railway Infrastructure) Act 2001;

“public road” has the meaning assigned to it by section 2 of the Roads Act 1993;

“Regulations of 2014” means European Union (Railway Safety) (Reporting and Investigation of Serious Accidents, Accidents and Incidents) Regulations 2014 (S.I. No. 258 of 2014);

“Regulations of 2020” means the European Union (Railway Safety) (Reporting and Investigation of Serious Accidents, Accidents and Incidents) Regulations 2020 (S.I. No. 430 of 2020).

Commencement

2. This Act shall come into operation on the 31st day of October 2020.

Reporting and investigation of serious accidents, accidents and incidents involving certain railways

3. Upon the coming into operation of this Act the Regulations of 2020 shall apply to any—

(a) metro, tram or other light railway system,

(b) privately owned rail network that exists solely for use by the infrastructure owner for its own freight operations insofar as it has an interface with a public road or with another railway system,

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- (c) heritage railway vehicle that runs on the railway system in the State,
- (d) heritage railway, museum railway or tourist railway that operates on its own network, including workshops, vehicles and staff, and
- (e) any other railway, or person that operates a railway, to which the Regulations of 2020 do not apply by virtue of Regulation 3 of those Regulations,

subject to the modification that “railway undertaking” as defined in Regulation 2 of the Regulations of 2020 shall include any railway, and any person who operates a railway, referred to in *paragraphs (a) to (e)* of this section.

Continuation of ongoing investigations, etc.

4. Where on the day on which this Act comes into operation, an investigation or the preparation of a report that relates to a railway referred to in *section 3* has been commenced by the Investigation Unit under the Regulations of 2014 but has not been completed, the investigation or as the case may be the preparation of the report shall be continued in accordance with the Regulations of 2020.

Investigation reports under Regulations of 2014

5. The Regulations of 2020 shall apply to any investigation report or other report that relates to a railway referred to in *section 3* prepared or published by the Investigation Unit, pursuant to the Regulations of 2014, prior to the day on which this Act comes into operation.

Safety recommendations under Regulations of 2014

6. The Regulations of 2020 shall apply to any safety recommendation or interim safety recommendation that relates to a railway referred to in *section 3* issued by the Investigation Unit, pursuant to the Regulations of 2014, prior to the day on which this Act comes into operation.

Short title

7. This Act may be cited as the Railway Safety (Reporting and Investigation of Serious Accidents, Accidents and Incidents Involving Certain Railways) Act 2020.