This Statutory Instrument has been made in consequence of defects in S.I. 2019/677 and is being issued free of charge to all known recipients of that Statutory Instrument.

Draft Regulations laid before Parliament under paragraph 5(1) and (5) of Schedule 5 to the Retained EU Law (Revocation and Reform) Act 2023, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No. ****

RETAINED EU LAW REFORM

TRANSPORT

The Train Driving Licences and Certificates (Amendment) Regulations 2026

Made - - - -	***
Coming into force - -	*30th June 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 14(1), (3), (4)(c) and (7) of the Retained EU Law (Revocation and Reform) Act 2023(**a**).

The Secretary of State is a relevant national authority for the purposes of section 14(1) and (3) of the 2023 Act(**b**).

In accordance with paragraph 5(1) and (5) of Schedule 5 to the 2023 Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Train Driving Licences and Certificates (Amendment) Regulations 2026.

(2) These Regulations come into force on 30th June 2026.

(3) These Regulations do not extend to Northern Ireland.

(**a**) 2023 c. 28.
(**b**) The term "relevant national authority" is defined in section 21(1) of the Retained EU Law (Revocation and Reform) Act 2023.

Amendment of the Train Driving Licences and Certificates Regulations 2010

2.—(1) The Train Driving Licences and Certificates Regulations 2010(**a**) are amended as follows.

(2) In regulation 4 (requirement for licences and certificates)—

(a) after paragraph (3), insert—

"(3A) A railway undertaking or infrastructure manager must not deploy a person under 20 years of age to drive a train in the British Channel Tunnel zone(**b**).

(3B) A person under 20 years of age must not drive a train in the British Channel Tunnel zone.";

(b) in sub-paragraph (8)(a), omit "subject to paragraph (9),";

(c) in paragraph (13), for "Subject to paragraph (14), in" substitute "In".

(3) In regulation 8(2)(a) (conditions for obtaining a licence), for "20" substitute "18".

Signed by authority of the Secretary of State for Transport

NAME
Minister of State
Department for Transport

(**a**) S.I. 2010/724, as amended by S.I. 2013/2042, S.I. 2015/1682, S.I. 2019/677, and S.I. 2022/85. There are further amendments that are not relevant to this instrument.

(**b**) The term "British Channel Tunnel zone" is defined in regulation 2 of the Train Driving Licences and Certificates Regulations 2010.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulations 4 and 8 of the Train Driving Licences and Certificates Regulations 2010 (S.I. 2010/724) which relate to the requirement for train driving licences and certificates and the conditions on which a train driving licence can be issued. Regulations 4 and 8 are secondary assimilated law within the meaning of section 11(2) of the Retained EU Law (Revocation and Reform) Act 2023 (c. 28).

These Regulations amend the conditions on which a train driving licence can be issued, lowering the minimum age at which a person can obtain a train driving licence in Great Britain to 18 years of age. They prohibit a person under the age of 20 years from driving a train in the British Channel Tunnel zone (the tunnel infrastructure itself, plus the line between the tunnels to and including Ashford International (for passenger services) and Dollands Moor (for freight services). These Regulations also prohibit a railway undertaking or an infrastructure manager from deploying a person who is under 20 years of age to drive a train in the British Channel Tunnel zone.

This prohibition is necessary to continue to give effect to an agreement between the UK and France in relation to requirements for train driving licences, for any train driver operating a service in the British Channel Tunnel zone. A copy of the agreement is available at: https://assets.publishing.service.gov.uk/media/654dfc5e5d60950011bec8f0/TS_41.2023_UK_France_Agreement_Train_Driving_Licences_Complementary_Certificates_Rail_Transport_Channel_Fixed_Link.pdf. Alternatively, a copy of this agreement can be obtained from Rail Regulation, Standards & Innovation Division, Department for Transport, Great Minister House, 33 Horseferry Road, London, SW1P 2AA.

These Regulations also remove cross references to provisions that are no longer operable.

An Explanatory Memorandum and a de minimis assessment have been prepared and are published alongside the instrument on www.legislation.gov.uk.

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