



Department
for Transport

Lord Ricketts
Chair, European Affairs Committee
House of Lords
London
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From the Minister for Rail
**Lord Hendy of Richmond Hill
CBE**

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Dear Lord Ricketts,

Future operation of the Channel Tunnel Fixed Link

In line with arrangements agreed with my predecessors, I am writing to provide an update on progress that has been made on bilateral negotiations with France as part of establishing a new long-term regulatory framework for the Channel Tunnel following the UK's departure from the EU.

As you may know, the Government has negotiated a series of four bilateral agreements with France to support the smooth continuation of important cross-border services, including Eurotunnel shuttle, high-speed passenger and intermodal freight services. I am pleased to inform the Committee that good progress has been made on the fourth and final agreement, which has now been signed, and will come into force alongside the third agreement on safety certificates later this year. This will complete the harmonised technical and governance framework for the Fixed Link, with the first two highest priority agreements, covering the mutual recognition of train driving licenses and train operating licenses in the cross-border area, having come into force in 2021 and 2022 respectively.

The Safety Certificates Agreement

The safety certificates agreement (SCA) is the third of the Channel Tunnel bilateral agreements with France and provides for the mutual recognition of rail safety certificates (which are required for operators to operate services) in the Channel Tunnel and cross-border area. Currently, following the UK's departure from the EU, industry-led contingency arrangements are in place to ensure no disruption to services, however the SCA will provide a more robust, longer-term regulatory solution, reducing costs and regulatory burdens for operators.

The agreement has been signed by both the UK (23rd January 2023) and France (14th October 2022), however the SCA has been developed to take account of the applicable safety certificate regime established in the EU as part of the 4th Rail Package (Directive 2016/798) and in force on French territory. This requires updating the regulatory framework that applies to the Fixed Link, including establishing equivalent provisions in the UK section, which will be achieved through the Technical Framework Agreement (TFA) and the associated UK implementing legislation. The SCA will therefore come into force alongside the TFA.

The Technical Framework Agreement

The TFA is the fourth and final UK-France bilateral agreement concerning Channel Tunnel regulation, and establishes a long-term, overarching technical, safety and governance framework for the Fixed Link. The TFA provides broadly harmonised rules and procedures that apply across both sections of the Fixed Link, reflecting the requirements of France to implement elements of the EU's 4th Rail Package, whilst establishing equivalent provisions in the UK section, established in UK law. The TFA also transfers national safety authority functions for the UK section of the Fixed Link from the binational Intergovernmental Commission (IGC) to the Office of Rail and Road (ORR), following the French transfer of national safety functions to its rail safety regulator, EPSF, which it was required to do under EU law. Whilst formal responsibility will transfer, the regulators will continue to coordinate their activities in line with obligations and mechanisms established in the TFA, and in practice it will be the same personnel at ORR carrying out these functions as under the IGC.

The TFA was signed by both the UK and France on 9th April 2025. This marks the culmination of years of intensive work between my officials and their counterparts in the French Transport Ministry. To bring the

agreement into force, we will now need to seek Parliamentary consent to ratify it under the Constitutional Reform and Governance Act (2010) process, which will provide an opportunity for both Houses to scrutinise the text of the agreement in full. We intend to commence this process in late April. It will then need to be implemented by two statutory instruments (SIs), which we intend to sign and lay in Parliament later this year, with the intention of bringing the SCA and TFA into force by the end of the year.

Together, the SCA and TFA will complete the suite of bilateral agreements with France, establishing a long-term, coherent regulatory framework for the Fixed Link to support the continued smooth operation of rail traffic and reduce regulatory burdens on operators.

I am copying this letter to Ruth Cadbury MP, Chair of the Transport Select Committee, and Lord Goldsmith, Chair of the International Agreements Committee.

Yours Sincerely,



The Lord Hendy of Richmond Hill CBE

MINISTER OF STATE FOR RAIL