

OFFICE *of the*
RAIL REGULATOR

**SCOTLAND INFRASTRUCTURE
MAINTENANCE CO. LIMITED
(Light Maintenance Depots)
LICENCE EXEMPTION 1995**

1995 No. 12



The Railways Act 1993

Scotland Infrastructure Maintenance Co. Limited (Light Maintenance Depots) Licence Exemption 1995

1995 No.12

Made 10 November 1995

Coming into force 12 November 1995

The Rail Regulator, in exercise of the powers conferred upon him by section 7(3) of the Railways Act 1993, after consultation with the Secretary of State in accordance with the said section 7(3), hereby grants the following exemption.

Citation and commencement

1.-(1) This exemption may be cited as the Scotland Infrastructure Maintenance Co. Limited (Light Maintenance Depots) Licence Exemption 1995.

(2) This exemption shall come into force on 12 November 1995.

Interpretation

2.-(1) In this exemption:

“the Act” means the Railways Act 1993;

“the Company” means Scotland Infrastructure Maintenance Co. Limited, whose registered office is at Euston House, 24 Eversholt Street, London NW1 1DZ;

(2) In this exemption:

(a) unless the context otherwise requires, terms and expressions defined in the Act shall have the same meanings in this exemption;



- (b) the Interpretation Act 1978 shall apply to this exemption in the same way as it applies to an enactment; and
- (c) any reference to a numbered article is a reference to the article in this exemption which bears that number, and any reference in an article to a numbered paragraph is a reference to the paragraph bearing that number in that article.

Licence exemption

3.-(1) Exemption is granted to the Company from the requirement to be authorised by licence to be the operator of the railway assets specified in article 4.

(2) So far as it relates to any particular railway asset specified in article 4, the exemption granted in this article may be revoked by agreement in writing between the Regulator and the Company.

Railway assets to which article 3 applies

4. The railway assets to which article 3 applies are the light maintenance depots situated at:

- (a) Georgemas SIMCO Depot; and
- (b) Crianlarich SIMCO Depot.

Conditions

5.- The exemptions granted under article 3 are subject to the following conditions:

- (a) the Rail Regulator may revoke or modify the whole or any part of such exemptions if the Company provides, or procures or permits some other person to provide, light maintenance services at any of the light maintenance depots specified in article 4 in respect of any rolling stock which is used for the carriage of passengers or goods by railway other than in the course of the Company's own business: and

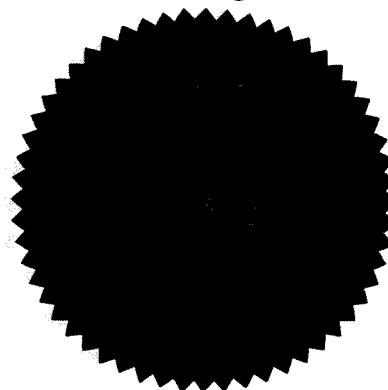


(b) the Rail Regulator may revoke or modify the whole or any part of such exemptions at the time that he grants to the Company any licence or exemption to operate any railway assets other than the railway assets described in article 4.

A handwritten signature in black ink, appearing to read "J.A. Rhead", written in a cursive style.

10 November 1995

Signed by authority of
the Rail Regulator





EXPLANATORY NOTE

(This note is not part of the exemption.)

This exemption provides for the grant of exemption from the licensing provisions of the Railways Act 1993.

Article 3 provides for the Company to be exempt from the requirement to hold a licence to be the operator of the railway assets specified in article 4.

Article 4 provides that the exemption applies in respect of the specified light maintenance depots operated by the Company.

A light maintenance depot is any land or other property which is normally used for or in connection with the provision of light maintenance services, whether or not it is also used for other purposes. Normal use will usually be inferred from the presence at the depot of specialised equipment such as refuelling points or cleaning apparatus, or specially constructed or adapted accommodation for the provision of such light maintenance services.