



## The Railways Act 1993

# The Bowes Railway Company Limited Licence Exemption 1996

1996 No. 3

*Made* 29 February 1996

*Coming into force* 1 March 1996

The Rail Regulator, in exercise of the powers conferred on him by section 7(3) of the Railways Act 1993, and 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 Bowes Railway Company Limited Licence Exemption 1996.
- (2) The exemptions granted by article 3 below shall come into force on 1 March 1996 and shall continue in force until revoked or modified in accordance with articles 3(2) or 5.

### **Interpretation**

- 2.-(1) In this exemption:

"the Act" means the Railways Act 1993;

"the Company" means The Bowes Railway Company Limited a company limited by guarantee whose registered office is at the Town Hall and Civic Centre, Burdon Road, Sunderland SR2 7DN;

"the network" means the network consisting of the railways described in article 3 of the 1981 Order and the Schedule to the 1994 Order;

"the 1981 Order" means The Tyne and Wear County Council (Bowes Railway) Light Railway Order 1981 S.I.616; and

"the 1994 Order" means The Bowes Extension Light Railway Order 1994 S.I.691.



- (2) In this exemption:
- (a) unless the context otherwise requires terms and expressions defined in the Act shall bear the same meaning as in that Act;
  - (b) the Interpretation Act 1978 shall apply 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 network, station or light maintenance depot, the exemption granted in this article may be revoked by agreement in writing between the Rail Regulator and the Company.

### **Railway assets to which article 3 applies**

4. The railway assets to which article 3 applies are:

- (a) the network described in the Schedule to the 1994 Order;
- (b) any train being used on the network, whether for the purposes of carrying passengers or goods by railway or for any other purpose whatsoever;
- (c) any station which may be constructed by the Company to serve the network; and
- (d) any light maintenance depot which is connected to the network and is operated by the Company in connection with the operation of trains on the network.

### **Conditions**

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

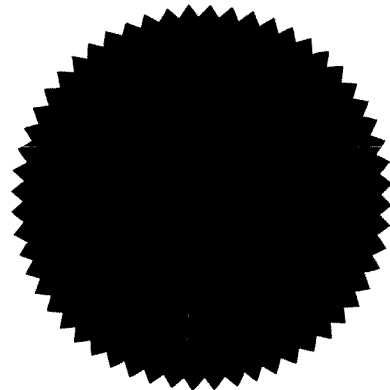


(a) The Rail Regulator may revoke or modify the whole or any part of such exemptions at the time that he grants to the Company any licence or exemption to operate any railway assets other than the railway assets described in article 4; and

(b) The Rail Regulator may revoke or modify the whole or part of such exemptions if a physical connection is made between any track forming part of the network and any track forming part of the network operated by Railtrack PLC.

29 February 1996

Signed by authority of  
The Rail Regulator





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## EXPLANATORY NOTE

*This note is does not form part of the Exemption*

*This exemption is granted to The Bowes Railway Company Limited a registered charity. The exemption will permit the Company to construct and operate an extension to the Bowes Railway without the need to hold a licence as required by section 6 of the Railways Act 1993.*