

Railway Safety Regulations 1999: Regulation 3

Certificate of Exemption

Train Operators Certificate

1. The Office of Rail Regulation, in exercise of the power conferred on it by regulation 6(1) of the Regulations, having consulted those persons it considers appropriate in accordance with regulation 6(2) of the Regulations and having had regard to the matters specified in regulation 6(3) of the Regulations, grants the following exemption.

2. In this exemption:

“the Regulations” means the Railway Safety Regulations 1999 SI 1999/2244 as amended;

Terms used in this certificate, which are used in the Regulations, have the same meaning that they have in the Regulation.

Exemption

3. Regulation 3(1) of the Regulations (prohibition on operating a train on a railway unless a train protection system is in service) shall not apply to any person operating trains falling in any of the following classes on HS1:

Class A

Engineering trains, being non-passenger carrying trains operated for the purposes of maintenance or repair of the infrastructure;

Class B

Trains consisting of on track maintenance machines;

Class C

Trains consisting of locomotives used for the rescue of failed passenger trains, and trains consisting of the combined failed train and rescue locomotive;

Class D

Infrastructure recording trains and test trains not fitted with working cab signalling systems providing a train protection system.

Conditions

4. This exemption is granted subject to the conditions that:

- (a) trains in classes A, B and C are operated in accordance with Module UF of the HS1 Rule Book (C/02/OS/05/1000/UF) as amended;
 - (b) trains in class D may not exceed the speed of 100 Km/H. Where they are required to run on HS1 at speeds between 31 and 100 Km/H, they are operated in accordance with section 11 of the Sectional Appendix to the HS1 Rule Book (C/02/OS/05/2002) as amended;
 - (c) Module UF of the HS1 Rule Book (C/02/OS/05/1000/UF) and section 11 of the Sectional Appendix to the HS1 Rule Book (C/02/OS/05/2002) may not be amended without the consent of the Office of Rail Regulation while this exemption is in force.
5. This exemption comes into effect at 00:01 hour on 1st May 2013. In accordance with regulation 6(1) of the Regulations, it may be revoked by ORR at any time by a certificate in writing.
6. Pursuant to regulation 6(1) of the Regulations, the exemption from Regulation 3(1) of the Regulations in favour of Train Operators dated 29th August 2012 is revoked on the coming into effect of this certificate.



Signed by authority of ORR

24 April 2013



