

THE RAILWAY SAFETY REGULATIONS 1999 (SI 1999/2244)

Certificate of Exemption

Infrastructure Controller: Network Rail (CTRL) Ltd

Grant

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.

Definitions

2. In this exemption –

“Network Rail (CTRL)” means Network Rail (CTRL) Limited whose registered office is at 40 Melton Street, London NW1 2EE;

“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 Regulations.

Exemption

3. Network Rail (CTRL) is exempt from the prohibition contained in regulation 3(1) of the Regulations (prohibition on permitting the operation of a train on a railway unless a train protection system is in service) in relation to the operation on the Channel Tunnel Rail Link of the following classes of trains:

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 Channel Tunnel Rail Link Rule Book (C/02/OS/05/1000) as amended;
 - (b) trains in class D may not exceed the speed of 100 Km/H. Where they are required to run on the CTRL at speeds between 31 and 100 Km/H, they are operated in accordance with section 11 of the Channel Tunnel Rail Link Sectional Appendix (C/02/OS/05/2002) as amended;
 - (c) Module UF of the Channel Tunnel Rail Link Rule Book (C/02/OS/05/1000) and section 11 of the Channel Tunnel Rail Link Sectional Appendix (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 17 June 2010 and expires at 23:59 hours on 16 June 2015. 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 Network Rail (CTRL) dated 7 May 2008 is revoked on the signing of this certificate.

Signed by



Deputy Chief Inspector of Railways

On behalf of the Office of Rail Regulation

Date 4 June 2010