

Railway Safety Regulations 1999: Regulation 4

Certificate of Exemption

1. The Office of Rail and Road (ORR) exempts under regulation 6(1) of the Railway Safety Regulations 1999 (the '**Regulations**') the Mark I Rolling Stock listed in the Schedule from the requirements of regulation 4(1) of the Regulations, subject to the conditions listed below. In granting this exemption, ORR has carried out a review of the evidence provided by **NYMR PLC (Company Number 02490244)** (the '**Company**') in support of the exemption request, consulted as required by regulation 6(2) and had regard to the matters set out in regulation 6(3) of the Regulations.
2. In this exemption:

"Mark I Rolling Stock" has the same meaning as in the Regulations;

"Railway" has the same meaning as in the Regulations;

"Safety Management System" has the meaning it has in the Railways and Other Guided Transport Systems (Safety) Regulations 2006 (ROGS).
3. This exemption applies to the Mark I Rolling Stock listed in the Schedule (the '**Rolling Stock**') and is granted subject to the following conditions:
 - (a) The Company must ensure that the Rolling Stock:
 - (i) have buckeye couplers fitted with shelf brackets (except when coupled to a locomotive not fitted with buckeye couplers);
 - (ii) have crash pillars of an equivalent or greater strength than the original British Rail design; and
 - (iii) have unique identifying numbers.
 - (b) The Company must ensure that the Rolling Stock is not used for passenger services on a Railway unless there is a Safety Management System which covers the operation of the Rolling Stock;
 - (c) The Company must ensure that, when formed as a rake, the Rolling Stock shall have the same buffing height (within maintenance limits);
 - (d) The Company must ensure that maintenance is performed in accordance with the contents of the documents "*North Yorkshire Moors Railway Enterprises PLC Coaching Stock Maintenance Policy, NYM/C&W/001/RevG*" and "*North Yorkshire Moors Railway Enterprises PLC Coaching Stock Maintenance Plan*,

NYMR/C&W/002 Issue 7G", as updated from time to time, in so far as these updates are not substantial.

- (e) The Company must ensure that there are records demonstrating that the Rolling Stock has been maintained in accordance with the documents listed in condition (d) above.
 - (f) The Company must ensure that passenger loadings do not exceed the total seating capacity available within the relevant Rolling Stock.
 - (g) The Company must ensure that ORR is notified at least 12 weeks in advance and in writing, of any proposed changes from established processes and procedures as set out within the application.
 - (h) The Company must ensure that ORR is notified of any changes relating to the Rolling Stock. This includes the withdrawal of and/or acquisition of Mark I Rolling Stock.
4. This exemption is valid from 1 April 2023 until 31 March 2028.
5. Under regulation 6(1) of the Regulations, ORR may revoke the whole or any part of this exemption, at any time, in writing.



Signed by authority of ORR

28 March 2023



Schedule

The Mark I Rolling Stock to which this exemption applies are:

Vehicle Number	Type	Date Built
1823	Mk1 RMB	1960
1878	Mk1 RMB	1962
3801	Mk1 TSO	1953
3805	Mk1 TSO FF	1953
3860	Mk1 TSO	1953
3872	Mk1 TSO	1954
3948	Mk1 TSO	1954
4198	Mk1 TSO	1953
4252	Mk1 TSO	1956
4286	Mk1 TSO	1956
4290	Mk1 TSO	1956
4455	Mk1 TSO	1956
4597	Mk1 TSO FF	1956
4817	Mk1 TSO	1957
4839	Mk1 TSO	1959
4921	Mk1 TSO	1961
4990	Mk1 TSO	1961
5000	Mk1 TSO	1961
5001	Mk1 TSO FF	1962
5029	Mk1 TSO	1961

9225	Mk1 BSO	1955
9235	Mk1 BSO	1955
9267	Mk1 BSO	1956
9274	Mk1 BSO	1955
15745	Mk1 Corridor Composite	1956
16156	Mk1 Corridor Composite	1961
16191	Mk1 Corridor Composite	1961
21100	Mk1 BCK	1958
35089	Mk1 BSK	1967
99970	Pullman First Buffet	1928
99972	Mk1 Pullman First Kitchen Metcam	1960
99973	Mk1 Pullman RF	1961
99974	Mk1 Pullman First Parlour Metcam	1960

Schedule last updated 28 March 2023