

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 **The Great Scottish & Western Railway Company Limited (Company No: 05201319)** (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 operator 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 operator must ensure that, when formed as a rake, the Rolling Stock shall have the same buffing height (within maintenance limits).

(d) The operator must ensure that the Rolling Stock shall operate at a speed not:

- (i) exceeding 75 mph (120 kph) for steam operations; or
- (ii) exceeding the plated speed of the coach for electric or diesel operations.

- (e) The operator must ensure that passenger loadings do not exceed the total seating capacity available within the relevant Rolling Stock.
 - (f) The Company must ensure that maintenance is performed in accordance with the contents of the documents '*The Royal Scotsman's Vehicle Maintenance Instructions (VMI)*' and Assenta Rail's '*C1- Programme and maintenance records*', as updated from time to time, in so far as these updates are not substantial.
 - (g) The Company must ensure that there are records in accordance with '*Mk1 corrosion repair strategy for works (ARL-02-R04)*', demonstrating that the Rolling Stock has been maintained in accordance with the documents listed in condition (f) above.
 - (h) 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.
 - (i) 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

29 March 2023



Schedule

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

Vehicle Number	Type	Date Built
99964	State Car No 4	1960
99963	State Car No 3	1960
99962	State Car No 2	1960
99961	State Car No 1	1960
99337	State Spa Car	1960
99960	Restaurant Car	1960
99967	Restaurant Car	1960
99965	Observation Car	1960

Schedule last updated 29 March 2023