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Executive

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10 September 2012

Mr David Brailsford
Europorte Channel
19 bd Malesherbes
75008 Paris



Dear Mr Brailsford

Railway Safety Regulations 1999: Exemption from regulation 3(1): Operation without a train protection system

I enclose the certificate of exemption which we have revised due to the change of name from Europorte 2 to Europorte Channel and also to enable the driver training and competence management to take place. Copies of the certificate will be posted on ORR's website at:

<http://www.rail-reg.gov.uk/server/show/category.1172>

The original certificate remains with ORR.

Yours sincerely

Chandrika Shah



INVESTOR IN PEOPLE

THE RAILWAY SAFETY REGULATIONS 1999 (SI 1999/2244)

Certificate of Exemption

Grant to Train Operator: Europorte Channel

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 –

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

“Network Rail” means Network Rail Infrastructure Limited whose registered office is at Kings Place, 90 York Way, London N1 9AG.

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


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 Europorte Channel operating a Krupp class 6400 locomotive being used for the rescue of failed passenger trains or being used for the training and maintenance of competence of drivers for this purpose, and trains consisting of the combined failed train and rescue locomotive from High Speed 1 on the following Network Rail controlled infrastructure:
 - (a) Down CTRL chord between signals ADF947 and AF313 via platforms 3 and 4 at Ashford International Station
 - (b) Up CTRL chord between signals AD954 and AF312 via platforms 3 and 4 at Ashford international Station

Conditions

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

- (a) The operation is in accordance with conditions in Network Rail's rolling stock infrastructure certificate reference number NRAP/931/06/s
 - (b) Europorte Channel's OTI 6013 Rules for works train drivers on HS1 High Speed Line (CTRL).
5. This exemption comes into effect at 00:01 hour on 10 September 2012. 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 8 February 2010 is revoked on the signing of this certificate.

Signed by 

Tom Wake
Deputy Director of Railway Safety

On behalf of the Office of Rail Regulation

Date: 10 September 2012