



Railway Safety Regulations 1999

**Assessment and Guidance Manual
for Exemption Applications (Issue 1)**

08 April 2019

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1. Purpose of Document

- 1.1 This document provides an overview of the assessment process for applications made for exemptions from regulations 3, 4 and 5 of the Railway Safety Regulations 1999 (RSR 1999).
- 1.2 This guide is aimed at ORR personnel assessing for exemption applications. It may also be useful for applicants as it provides an overview of the assessment process.
- 1.3 This guide will allow you to:
 - understand your role and responsibilities during an assessment for an exemption application from regulations 3, 4 and 5 of the RSR 1999.
 - understand the key milestones and deliverables of the assessment process.
 - understand how to make an application and the supporting evidence required to enable ORR to carry out an assessment.
 - know who to contact for further advice and guidance.

2. Legal Requirements

- 2.1 A copy of the Railway Safety Regulations 1999 is available at <https://www.legislation.gov.uk/ukxi/1999/2244/contents/made>
- 2.2 Regulation 3 of RSR 1999 prohibits the operation of trains without a train protection system being in place on both a train and railway infrastructure.
- 2.3 Regulation 4 of RSR 1999 prohibits the use of Mark I rolling stock operating on railway infrastructure.
- 2.4 Regulation 5 of RSR 1999 prohibits the use of rolling stock with hinged doors or that which is not fitted with central door locking, for carrying passengers on railway infrastructure.
- 2.5 Regulation 6 of RSR 1999 enables the relevant authority to exempt any person or class of persons, railway, part of a railway or class of railways, train or rolling stock, or class of train or rolling stock from any prohibition imposed by these Regulations. Any such exemption may be granted, subject to conditions and to a limit of time and may be revoked by a certificate in writing at any time.
- 2.6 Regulation 2(1) and the supporting schedule in the regulations set out the definition of a railway.
- 2.7 As per regulation 2(1) and the supporting schedule, where the line speed does not exceed 25mph, there is no legal requirement to hold an exemption for operations carried out.
- 2.7 Exemptions are issued by ORR in the form of a certificate that sets out any specified conditions that have to be met. For regulations 4 and 5, a schedule listing the specific assets that are exempted from the regulations is issued with the certificate. Exemptions are issued to both the applicant, usually a train operator and the infrastructure manager.

3. Roles and Responsibilities

3.1 The following personnel are identified as being involved in the assessment process.

HM Chief Inspector of Railways

Role:

- Ensures an effective policy for decision making concerning all issues relating to RSR 1999. This includes the processes for assessing applications and revocation are developed, maintained and implemented in accordance with ORR's wider policies.

Responsibilities:

- Endorse the policy on ORR's processes for assessing exemption applications under RSR 1999.
- Provide adequate resource for delivering assessment processes.
- Provide final authority and formal sign off on behalf of ORR for RSR 1999 exemption applications.
- Provide overall direction for cases concerning RSR 1999 exemption applications.
- Ensure that the organisational structure can respond to the needs of the procedures relating to assessing applications for RSR 1999 exemptions.
- Ensure effective communication links are maintained with organisations involved with RSR 1999 exemptions.
- Ensure effective interfaces between the RSR 1999 exemption application process and; supervision and enforcement.

HM Deputy Chief Inspector of Railways

Role:

- Maintain a strategic overview of RSR 1999 exemption applications along with supervision activities. Ensure there is adequate resource within RSD and availability of expert support from Railway Planning & Performance (RPP) engineers to carry out the assessments.

Responsibilities:

- Manage resources to ensure the RSR 1999 exemption application assessment process is maintained, developed and reviewed as appropriate.
- Manage resources to ensure timely completion of assessments and that they are carried out in line with procedures as well as performance standard timescales.
- Provide final authority on behalf of ORR for accepting or refusing RSR 1999 exemption applications.
- Ensure effective communication is maintained between the parties involved in RSR 1999 exemption application process.
- Manage the development and implementation of plans for RSR 1999 exemption application assessments to ensure they meet overall ORR policy.

Heads of Inspection (Mainline Operators / Network Rail Routes / Network Rail Projects / Non-Mainline Operators)

Role:

- Manage resources to ensure timely completion of assessments and that they are carried out in line with the assessment processes in place.

Responsibilities:

- Manage compliance with the requirements of the RSR 1999 exemption application assessment procedures including control of documentation and adherence to performance standards.
- Contribute to the ongoing continuous improvement of the RSR 1999 exemption assessments process and procedures.
- Ensure suitable, sufficient and capable resources are allocated to an assessment.

- Ensure team workplans can flex to accommodate RSR 1999 exemption applications.
- Assist in the resolution of assessments where there is differing views on the outcome of these.
- Review any additional evidence obtained, which is required, to decide if ORR progresses or refuses an application for an RSR 1999 exemption.
- Decide on any specific conditions to be included on exemption certificates and justify reasons behind these. Notify these conditions to the case manager.
- Review the initial and final draft of the RSR 1999 exemption covering letters, certificates and schedules before signature or; letters of refusal.
- Ensure conditions placed within the exemption certificate are followed up using the appropriate method that will provide assurance to ORR that the exemption holder is explicitly complying with the conditions.

Assessors (these can be HM Inspectors, Senior Engineers, Policy Team, External Experts)

Role:

- Act as member of the case team for the RSR 1999 exemption application.
- Assess and provide technical input to RSR 1999 exemption applications in accordance with timescales and assessment processes in place.

Responsibilities:

- Plan assessments allocated to them, carry them out in accordance with the assessment processes in place and; allocated four month timescale.
- Arrange and attend any pre-application meetings with the applicant. These meetings should outline the assessment process and agree timescales for submission of the application.
- Follow up any matters of evident concern or items requiring clarification in regards to the evidence submitted, with the applicant via the case manager initially.
- Attend any meeting arranged to discuss progress with the assessment of an application particularly those where there are possibilities of an application being refused.

- Review representations from interested parties consulted during the application and decide if representations require follow up with the applicant.
- Review any additional evidence obtained which to decide if ORR progresses or refuses an application for an RSR 1999 exemption.
- Decide on conditions to be placed within exemption certificates and justify reasons behind these. Notify these conditions to the case manager.
- Review initial and final draft of the RSR 1999 exemption covering letters, certificates and schedules before signature or; letters of refusal.
- Ensure conditions placed within the exemption certificate are followed up using the appropriate method that will provide assurance to ORR that the exemption holder is explicitly complying with the conditions.
- Maintain case records on Box (ORR's case management system).

Senior Executive: Safety Permissioning (Case Manager)

Role:

- Act as case manager for all applications made to ensure that case teams deliver assessments within the statutory timescales and to the agreed processes in place.
- Updating the RSD internal guidance, assessment manuals and related documents associated with the processes, providing training and support for colleagues as needed.
- Enable ORR to meet all its statutory obligations in relation to the requirements of RSR 1999.

Responsibilities:

- Actively review, maintain and update the documents supporting the RSR 1999 exemption application and assessment processes.
- Advise potential applicants of the assessment processes in place and what is required to be submitted to ORR as part of their application submission pack.
- Act as case manager to ensure all relevant assessments are completed to time and in accordance with agreed assessment processes.

- Draft covering letters, exemption certificates and supporting schedules then share these with the legal case team member to ensure they are worded correctly from a legal perspective.
- Ensure all relevant application supporting information is available on the Box case before formal sign off by the authorised signatory.
- Arrange for uploading of exemption certificates and supporting schedules to the ORR external website following formal sign-off.

Team Administrator (or Case Manager)

Role:

- Provide administrative support to the final stages of the RSR 1999 exemption assessment.

Responsibilities:

- Prepare covering letter, exemption certificate and schedule template documents for formal sign off.
- Collate and compile hard copy of the Box electronic case file before formal sign off, of RSR 1999 exemption application assessments.
- Issue electronic and hard copies of signed covering letters, exemption certificate and schedule documents to the applicant.

Legal Team Representative

Role:

- Provide relevant and timely legal advice and guidance to the RSR exemption 1999 application.

Responsibilities:

- Ensure the application is legally correct and meets the requirements of the regulations.
- Ensure the covering letters, certificates and supporting schedules are legally compliant.
- Update the legal register to record the use of ORR's seal on the exemption certificate.

4. Pre-Application Meetings

- 4.1 ORR offers and encourages potential applicants with the opportunity to outline their proposed application and understand the ORR assessment process. In some instances, this meeting may be used, to discuss a reapplication linked to an existing exemption.
- 4.2 The meeting will be attended by the Senior Executive: Safety Permissioning and specific ORR personnel with knowledge of the subject matter that the proposed exemption will cover. These individuals will then form part of the case team once a formal application is submitted.
- 4.3 The meeting will enable ORR to establish what the exemption is for and why it is required. There will be opportunities to discuss other options available if ORR believe an exemption should only be considered as a final option. Applicants should be prepared to provide ORR with a considered and valid case as to why an exemption is the most appropriate proposal.
- 4.4 ORR will set out to applicants during the meeting, the appropriate evidence required as part of their application. This will help to reduce any delays when the formal submission arrives for assessment.
- 4.5 ORR and the applicant will agree an estimated date for when the formal application can be expected. Applicants are reminded that the assessment process can last for four months so should consider this when planning to make the application. If an exemption is required to be sought in a shorter timeframe, the applicant and ORR will both need to agree if this can be achieved.
- 4.6 A formal note of the meeting will be made to provide background on a potential application. A summary of key discussion points and actions will be sent by ORR to the applicant to set out how they can progress a formal application.

5. Application Submission Pack

- 5.1 The applicant (either the infrastructure manager or train operating company), needs to set out in writing to ORR, the following:
- Their request for the exemption, the relevant regulation(s) from which they require the exemption and the specific reasons why they think an exemption is required.
 - The proposed start date for when the exemption will be required.
 - The proposed duration for the exemption.
 - Their legal denomination and Companies House number. .
- 5.2 As part of the application, any supporting evidence required is set out in paragraphs 5.3 to 5.7.
- 5.3 A risk assessment is mandatory for all applications. The risk assessment has to cover all risks which could foreseeably remain or arise if the exemption was granted, and the subsequent control measures they propose, including (but not limited to):
- Responsibilities of the different parties involved with the operations.
 - Competency requirements for the persons involved with the operations.
 - Communication mechanisms between the parties involved.
- 5.4 For exemption applications from Regulation 3 (Train Protection Systems), the applicant must provide the following supporting evidence:
- An operational safety plan which sets out any health & safety control measures that are to be implemented. This can be a combined infrastructure manager and train operating company document or separately produced plans by the infrastructure manager and train operating company.
 - The specific location which the exemption is required for. Extracts of the sectional appendix or scheme plans of the area are useful supporting documents.
 - The rolling stock and train operators whose operations are affected by the exemption application.
 - The duration of time that the exemption is required for. This needs to be realistic and allow for sufficient time for the completion of works to install a suitable train protection system on the infrastructure or rolling stock.

5.5 For exemption applications from Regulation 4 (Mark I Vehicles), the applicant must provide the following supporting evidence:

- Name(s) of the vehicle owner / operator.
- Vehicle identification details – this includes its number as shown on the National Vehicle Register (NVR), brief description of what the vehicle is and any other relevant information that will support the application.
- Details of the modifications made/to be made to improve crashworthiness, prevent vehicle(s) overriding and maintain structural integrity.
- A copy of the vehicle maintenance plan(s) and records of maintenance carried out in most recent times are required. This provides assurance that work is being performed on the vehicles, the applicant is acting upon findings of examinations and vehicles are being placed onto the mainline in a safe condition.
- Photographs showing work performed or the structural condition of the vehicles can also be submitted as supporting evidence if available.

5.6 For exemption applications from Regulation 5 (Hinged Door Vehicles – Mark I / Mark II), the applicant must provide the following supporting evidence:

- Name(s) of the vehicle owner / operator.
- Vehicle identification details – this includes its number as shown on the National Vehicle Register (NVR), brief description of what the vehicle is and any other relevant information that will support the application.
- Details of the modifications made/to be made to secondary door locking on the vehicles for which the exemption is sought. A copy of the vehicle maintenance plan(s) and records of recent maintenance carried out. This provides assurance that work is being performed on the vehicles, the applicant is acting upon findings of examinations and vehicles are being placed onto the mainline in a safe condition.

- Operational arrangements for the safe carriage of passengers in hinged door rolling stock. This includes:
 - (1) Procedures for the operation of slam door rolling stock. This includes references on how the train operator(s) will work with and comply with dispatch instructions in place at stations where platform dispatchers are present, reporting vehicle defects and handling emergency / out of course situations involving rolling stock of this nature.
 - (2) Procedures for training staff that will operate the hinged door rolling stock. This also includes the ongoing monitoring and competence assessment regimes to be applied.
 - (3) In terms of the above points, it is reasonable for the applicant to have adopted the principles of the “Joint TOC document” / “Charter Train Managers Operation of Coaching Stock fitted with Secondary Door Locking”, prepared by DB Cargo (formerly Schenker) (UK) Limited and West Coast Railway Company Limited.

Beyond 2023 & exemptions from regulation 5

5.7 In addition to those forms of evidence listed in 5.5 and 5.6, applicants should also provide some indication as to how they are planning to meet requirements beyond 2023 to allow vehicles to remain in traffic. Requirements include fitment of Controlled Emission Toilets, Central Door Locking and internal door handles to vehicles. Beyond 31 March 2023, ORR is not intending to issue exemptions from regulation 5. Therefore, vehicle owners and operators must ensure the requirements described have been met to enable the vehicles to continue operating.

Adding additional vehicles to exemption certificate schedules

5.8 Where an applicant holds an exemption certificate from regulations 4 or 5 and wishes to have additional vehicles listed on the schedule, they should advise ORR of the vehicle numbers concerned. Copies of maintenance records to support the ongoing structural integrity and crashworthiness of the vehicles along with any door modifications carried out need to be provided in support of their application.

5.9 All applications must be sent electronically to ROGS@orr.gov.uk All applications will be acknowledged upon receipt.

6. Application Initial Screen

- 6.1 The case manager will advise the case team that the application has been received. The case manager will then carry out an initial screen of the application.
- 6.2 The initial screen will cover the following:
- The applicant has provided details of their legal denomination and company registration number. This is an essential requirement, as these details are placed on the exemption certificate.
 - The applicant has provided sufficient justification and reasoning as to why they require their exemption.
 - The applicant has advised which regulations they require to be exempt from and their application submission pack supports this.
 - Start and end dates for the RSR 1999 exemption as well as ensuring sufficient time is available to assess an application.
 - Sufficient supporting evidence is provided in accordance with that described in paragraphs 5.3 to 5.7.
- 6.3 The initial screen results will be recorded on the EXMP-99 form.
- 6.4 In the event of any evidence not being available, the case manager will advise the applicant in writing and request submission of missing items. The assessment will be put on hold until those items arrive; the applicant will be advised of this.

7. Main Assessment of the Application

- 7.1 Once all required information and supporting evidence has been provided by the applicant, to the satisfaction of the case manager, the link to the application assessment case on Box will be distributed to the case team.
- 7.2 This stage of the process is to:
- Consider the RSR 1999 exemption application in detail.
 - Establish whether the supporting evidence is suitable and sufficient before consultation with external parties is undertaken.
- 7.3 ORR has up to four months to assess an application from receipt of all required information. In the event that the assessment is put on hold for any reason, the clock will restart upon the applicant providing any additional information or evidence to support their application. The assessment calculator, EXMP-T1 provides an estimated date of when the assessment will be completed.
- 7.4 The evidence provided should clearly demonstrate the ability for the applicant to safely manage the operations or section of infrastructure from which they have requested to be exempt from the regulations.
- 7.5 Where supporting evidence is provided and additional information or clarity is required, the assessor should contact the applicant directly and obtain this. Once this additional evidence is obtained, it should be uploaded to the Box case.
- 7.6 Case team members should record their comments relating to the supporting evidence on form EXMP-99 which will be stored on the Box case.
- 7.7 If the case team have any serious concerns about the quality of supporting evidence provided or are not convinced or confident that existing control measures or those to be implemented are suitable measures of risk control, a meeting should be held with the applicant to set out these specific concerns.
- 7.8 If during the meeting, the applicant cannot provide any reassurances or additional evidence in support of the application, a decision should be made by the technical expert as to whether it is advisable for the applicant to withdraw their application and reapply.
- 7.9 If the decision is that the applicant withdraws their application, they will be formally notified of this. The applicant will be informed as to why this decision has been made and what detailed and specific actions are required of them to progress a future reapplication.
- 7.10 A formal note of the meeting must be made and stored on the relevant Box case.

8. Consultation with Interested Parties

- 8.1 ORR is required to consult interested parties as appropriate by Regulation 6 of RSR 1999 on applications made for exemptions
- 8.2 Consultees include:
- Other Charter Operators (on regulations 4 and 5 applications only).
 - Interfacing Train and Freight Operating Companies operating over the same route.
 - Infrastructure Manager(s) – these can include Network Rail Infrastructure Limited, Network Rail High Speed Limited, Rail for London and; London Underground Limited. TOC's who are station operators that charter services call at are also an infrastructure manager (regulations 4 and 5 only).
 - Relevant railway Trade Unions.
 - Any other organisations that have an interest in the application. ORR may be advised of these by the applicant.
- 8.3 The case manager will contact those individuals that are listed on the affected parties contact list for receiving ROGS safety certificate and safety authorisation applications.
- 8.4 In some instances, the consultation may need to be undertaken via the ORR public website. Where this is required, the case manager will contact the ORR Webteam once the application is submitted, to establish what they need to commence the consultation and timescales for achieving this.
- 8.5 The main purpose for consulting interested parties is to advise them that ORR considering a specific exemption application. The interested party then has the opportunity to review the application made, provide comments in support (or not) of the exemption and / or make representations in relation to the supporting evidence provided.
- 8.6 ORR will share the supporting evidence provided as part of the application with the interested parties. The interested party then has 28 days in which to make any representations directly to ORR.

- 8.7 Supporting evidence can comprise of:
- Exemption application submission document(s) to ORR.
 - Risk Assessment supporting the specific details of the application.
 - Safety Management System (SMS) or operational procedures that set out how the applicant will manage operations or section of infrastructure safely if granted the exemption.
 - Maintenance plan for categories of vehicles that the application is in relation to (regulations 4 and 5).
- 8.8 The interested party must make any representations on the application to ROGS@orr.gov.uk unless they are advised of alternative arrangements.
- 8.9 The case manager will share comments received from interested parties with the relevant assessor. Where comments are related to safety, these should be raised with the applicant and a response sought. The assessor should then review the response to ensure it fully addresses the comments made.
- 8.10 Representations concerning commercial activities do not require follow up by the case team.
- 8.11 The case manager will record on the EXMP-99 form, all the interested parties contacted and responses received. Where the comments indicate that follow up is required with the applicant, this will be stated on the form.
- 8.12 In the event of all interested parties responding in advance of the 28 days, the consultation period can be recorded as completed.

9. Concluding the Assessment

- 9.1 At this stage of the assessment, the following items should be complete:
- All the representations made by interested parties have been considered and followed up where necessary.
 - All supporting evidence supplied is satisfactory and demonstrates that suitable risk control measures are planned.
- 9.2 The assessors at this stage will:
- Advise the case manager of their decision as to whether an exemption should be granted to the applicant and;
 - Advise of any conditions that are required to be placed on the exemption certificate. The conditions should be justified and an explanation should be provided as to how ORR will follow up on these.
- 9.3 In the event of the assessors not being able to agree on granting an exemption, the Head of Inspection (HoI) responsible for overseeing the operations, will be required to intervene. This will require a meeting between the case team and HoI in order for the HoI to understand the specific and detailed concerns and decide a way forward. A member of the legal team may also be required to attend in order to provide legal advice on the application.
- 9.4 The Head of Inspection will:
- Review the application made by the applicant.
 - Review evidence submitted by the applicant, in support of the application.
 - Ascertain from case team members, the reasons for refusing the application.
 - Make a decision using the evidence put forward, as to whether to formally refuse the application or, grant the exemption but with a number of conditions attached or limit the validity period.
- 9.5 The case manager will produce a formal record of the meeting and place on the assessment case in Box.
- 9.6 If ORR's decision is to refuse the application, contact should be made with the applicant, as soon as possible, to notify them of the specific and detailed reasons why.

- 9.7 If the applicant requests ORR to review the decision and / or supplies additional evidence in support, the assessors should review it to determine if their original decision needs to be revised.
- 9.8 In all instances, the case manager shall ensure the assessment process has been followed and record this on the EXMP-99 form.

10. Preparation of Exemption Certificates

- 10.1 The case manager will prepare the covering letter, exemption certificate and supporting schedule.
- 10.2 Exemption certificates for regulation 3 can be issued to the infrastructure manager, train operators or both. These are time bound and cannot be extended, unless the applicant makes a new application.
- 10.3 Exemption certificates and supporting schedules for regulations 4 and 5 are issued to both the applicant, usually a train operator and Network Rail, the primary infrastructure manager for Great Britain. All exemption certificates will be valid until 31 March 2023 unless showing otherwise.
- 10.4 The certificate of exemption must include the:
 - Legal entity of the applicant (company name).
 - Company number.
 - Conditions attached to the granting of the exemption and to which the applicant must comply.
- 10.5 The case manager will share the draft covering letter, certificate and supporting schedule with legal colleagues to ensure the wording and any supporting conditions are legally correct.
- 10.6 Following the review by legal colleagues, the case manager will consult the case team with, a copy of the final draft covering letter, certificate and supporting schedule. This will be the recommended final version submitted to the authorised signatory.

11. Formal Issue or Refusal of an Exemption

- 11.1 In preparation for formal sign off, the case manager will arrange for the documents contained on the Box case to be printed off for review by the authorised signatory.
- 11.2 The exemption certificates can be signed by authorised signatories:
- HM Chief Inspector of Railways or;
 - HM Deputy Chief Inspector of Railways.
- 11.3 The authorised signatory will review the application documents, EXMP-99 and if in agreement with the recommended decision, formally sign off the exemption certificate and covering letter.
- 11.4 The exemption certificate should be formally sealed with the embossed ORR logo following signature.
- 11.5 If the decision is to refuse the application, the letter should outline the specific and detailed reasons why the application was rejected. However, this should not be the first occasion that the applicant has been made aware of this likely decision. The letter must outline the matters discussed during the meeting and explain why ORR cannot progress the application.

12. Notification of Exemption Issued

12.1 The case manager or their nominated deputy will take scans of the signed documents for placing onto the Box case and send it to ORR's Webteam for upload to the ORR website.

12.2 The applicant receives hard copies of the original documents:

- Signed Covering Letter.
- Signed Exemption Certificate and Supporting Schedule.

12.3 The case manager will ask ORR's Webteam to upload the exemption issued to the relevant webpage. These are:

Train Protection System exemptions (Regulation 3)

<http://orr.gov.uk/rail/health-and-safety/infrastructure-safety/train-protection/train-protection-system-exemptions>

Mark I exemptions (Regulations 4 and 5)

<http://orr.gov.uk/rail/health-and-safety/infrastructure-safety/mark-i-rolling-stock/mark-i-and-hinged-door-rolling-stock-exemptions>

12.4 Interested parties consulted during the application are made of the decision from the case manager who will supply the link to the relevant webpage that contains the exemption certificate.

13. Safety Certificate Requirements and Hauling Mark I & Mark II Rolling Stock that are Exempt from Regulations 4 and 5 of the Railway Safety Regulations 1999

- 13.1 The operation of charter services involves input from a number of different dutyholders. The operator of the charter train, who will be a safety certificate holder, remains responsible for managing risks to employees, passengers and other rail users. The safety certificate holder must ensure it has oversight of any activities that could be undertaken by third parties. The operator must be able to satisfy itself that any health and safety risks associated with the operation, are being managed effectively, and achieve legal compliance.
- 13.2 Applicants should be aware that ORR can request copies of maintenance plans, maintenance records and operational safety management system procedures as part of its supervision (inspection) programme in addition to exemption applications made under the Railway Safety Regulations 1999.

14. Following Up Conditions Placed in Exemption Certificates

- 14.1 Where an exemption certificate contains conditions that the applicant is required to meet, ORR will follow up on these, as set out in paragraphs 14.2 to 14.5 below.
- 14.2 For Mark I vehicle exemptions (regulations 4 & 5), ORR will use the supervision (inspection) period of the ROGS safety certificate for the operator concerned, to ensure that they are operating the vehicles listed on the exemption certificate in accordance with any conditions in place. This will include the maintenance and safe operation of the vehicles including any hired in from another exemption holder or third party supplier.
- 14.3 For train protection system exemptions (regulation 3), ORR will request written updates on progress and face to face meetings at periodic intervals set out in the conditions of the exemption certificate.
- 14.4 ORR can take enforcement activity against exemption holders and operators of the rolling stock listed in exemption schedules if inspections highlight non-compliances with the conditions listed in the exemption certificates. Those responsible for ensuring suitable train protection systems are in situ, or being fitted can also be subject to enforcement activity.
- 14.5 ORR can revoke an exemption at any time. For example, this can be due to a change in legislation, which requires the operations to be covered by alternative regulatory framework, or, there is evidence that the specific conditions set out in the exemption certificates are not being followed and the exemption holder cannot provide sufficient assurance to ORR that they will comply with them.



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