

## Licence Exemption 2010 Number 1

1. The Office of Rail Regulation (ORR) exempts under section 7(3) of the Railways Act 1993:

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**Birse Rail Limited**

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registered in **England and Wales** with number **04319685**

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from the requirement to be authorised by licence to operate the railway assets described in paragraph 2 below.

2. This exemption applies to non-passenger trains being used in an engineering possession.
3. This exemption is valid from 12 February 2010.
4. ORR may revoke the whole or any part of this exemption:
- (a) if the exemption holder is granted another licence or exemption for the operation of all or some of the railway assets to which this exemption applies; or
  - (b) if ORR suspects on reasonable grounds that the exemption holder has operated a railway asset without a necessary licence or exemption; or
  - (c) if all or some of the railway assets to which this exemption applies are not used for at least one year; or
  - (d) if the exemption holder ceases to be the operator of all or some of the assets to which this exemption applies; or
  - (e) by agreement in writing with the exemption holder.

*Robert M. Peaskill*

Signed by authority of ORR

**12 February 2010**

