

The Railways Act 1993

Keith & Dufftown Railway Association Licence Exemption 2000

2000 No. 9

Made 14 September 2000

Coming into force 14 September 2000

The Rail Regulator, in exercise of the powers conferred upon him by section 7(3) of the Railways Act 1993, after consultation with the Secretary of State in accordance with the said section 7(3), hereby grants the following exemption.

Citation and commencement

1.-(1) This exemption may be cited as the Keith & Dufftown Railway Association Licence Exemption 2000.

(2) The exemption granted by article 3 below shall come into force on 14 September 2000.

Interpretation

2.-(1) In this exemption:

"the Act" means the Railways Act 1993;

"the Company" means Keith & Dufftown Railway Association, company registration number 157099, whose registered office is at Dufftown Station, Dufftown, Banffshire, AB55 4BA;

"reference point" means Ordnance Survey National Grid reference point;

"the network" means the network between Keith Station at reference point NJ429514 to Dufftown Station at reference point TL496036, a distance of 11 miles (17.7km); and

(2) In this exemption:

- (a) unless the context otherwise requires, terms and expressions defined in the Act shall bear the same meaning as in that Act;
- (b) the Interpretation Act 1978 shall apply in the same way as it applies to an enactment; and
- (c) any reference to a numbered article is a reference to the article in this exemption which bears that number, and any reference in an article to a numbered paragraph is a reference to the paragraph bearing that number in that article.

Licence Exemption

3. Subject to article 5, the exemption is granted to the Company from the requirement to be authorised by licence to be the operator of the railway assets specified in article 4.

Railway assets to which article 3 applies

4. The railway assets to which article 3 applies are:

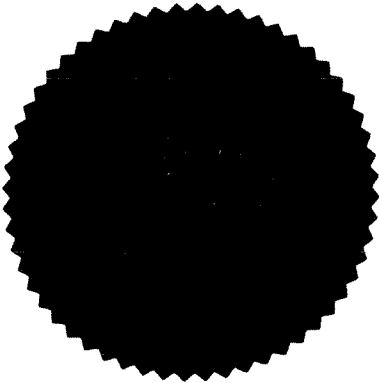
- (a) the network;
- (b) any installations associated with any of the track comprised in the network;
- (c) any train being used on the network, whether for the purposes of carrying passengers or goods by railway or for any other purpose whatsoever;

- (d) any station operated in connection with the network; and
- (e) any light maintenance depot operated in connection with the network.

Term as to Revocation

5. The Rail Regulator may revoke the whole or any part of the exemption granted in article 3:

- (a) at the same time that he grants to the Company any licence or exemption to operate any other railway asset;
- (b) if he suspects on reasonable grounds that the Company has operated any railway asset without having in place a licence or exemption as required by section 6 of the Act; or
- (c) by agreement in writing between the Rail Regulator and the Company.



14 September 2000

Melanie Leech

Signed by authority of
The Rail Regulator

EXPLANATORY NOTICE

(This note is not part of the exemption.)

This exemption provides for the grant of exemption from the licensing provisions of the Railways Act 1993.

Article 3 provides for the Keith & Dufftown Railway Association ("the Company") to be exempt from the requirement to hold a licence to be the operator of the railway assets specified in article 4.

The exemption will permit the Company to operate a railway between Keith Station at reference point NJ429514 to Dufftown Station at reference point TL496036, a distance of 11 miles (17.7km) without need to hold a licence as required in section 6 of the Railways act 1993.

Article 5 sets out the circumstances in which this exemption may be revoked.