

## SCHEDULES

### SCHEDULE 17

Article 85

#### AGREEMENTS AND UNDERTAKINGS CONNECTED WITH THE 1994 ACT OR THE CONSTRUCTION OR MAINTENANCE OF LINE ONE

##### *Interpretation*

1. In this Schedule “the Line One agreements” means the following undertakings given or agreements entered into by the promoter in connection with the Bill for the 1994 Act or the construction, operation or maintenance of Line One—

- (a) the General Works Agreement with Railtrack PLC, dated 11th May 2000;
- (b) the Operating Framework Agreement with Railtrack PLC, Arrow Light Rail Limited, and Transdev Tram U.K. Limited, dated 11th May 2000;
- (c) the Railtrack Enabling Works (Phase 1) Agreement with Arrow Light Rail Limited, dated 29th March 1999;
- (d) the Maintenance Agreement with Railtrack PLC, dated 11th May 2000;
- (e) the Rail Regulator Agreement with Railtrack PLC, Arrow Light Rail Limited, Transdev Tram U.K. Limited, Nottingham City Transport Limited, DaimlerChrysler Rail Systems (UK) Limited, Carillion Construction Limited, dated 11th May 2000;
- (f) the Deed of Release with Railtrack PLC, dated 11th May 2000;
- (g) the Services Agreement with Railtrack PLC, Arrow Light Rail Limited, DaimlerChrysler Rail Systems (UK) Limited, and Carillion Construction Limited, dated 11th May 2000;
- (h) the Property Agreement with Railtrack PLC, dated 11th May 2000;
- (i) the Facility Ownership Agreement with Network Rail Infrastructure Limited dated 9th August 2005;
- (j) the agreement with Debenhams PLC, dated 8th February 1994;
- (k) the agreement with Severn Trent Water Limited, dated 23rd March 1994;
- (l) the agreement with Pedals, dated 2nd December 1993;
- (m) the agreement with the British Coal Corporation, dated 25th August 1993; and
- (n) the memorandum of agreement with British Gas PLC, Severn Trent Water Limited, East Midlands Electricity PLC, and British Telecommunications PLC, dated 25th August 1993,

and “Line One agreement” means any of the Line One agreements.

##### **Commencement Information**

**II** Sch. 17 para. 1 in force at 9.6.2009, see [art. 1](#)

**Changes to legislation:** There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, SCHEDULE 17. (See end of Document for details)

*Application to this Order*

2. Subject to the provisions of this Schedule, the Line One agreements shall, so far as relevant and the circumstances permit, continue to apply to the operation and maintenance of Line One under this Order as they apply to the operation and maintenance of Line One under the 1994 Act, regardless of the repeal of any provision of the 1994 Act by this Order.

**Commencement Information**

**I2** Sch. 17 para. 2 in force at 9.6.2009, see [art. 1](#)

*References to provisions of the 1994 Act that are repealed and re-enacted by this Order*

3. For the purposes of the application of section 17(2)(a) of the Interpretation Act 1978<sup>(1)</sup> to the Line One agreements, any reference in a Line One agreement to a provision of the 1994 Act that has been repealed and re-enacted by a provision of this Order, shall be construed as a reference to the re-enacted provision only to the extent that it applies to the operation or maintenance of Line One.

**Commencement Information**

**I3** Sch. 17 para. 3 in force at 9.6.2009, see [art. 1](#)

*Effect of repeals on Line One agreements*

4. Regardless of any provision in a Line One agreement to the contrary, the repeal of any provision of the 1994 Act by this Order shall not allow any party to a Line One agreement to terminate that agreement or determine any of the rights exercisable under it when that party would not otherwise have been able to terminate it or determine them.

**Commencement Information**

**I4** Sch. 17 para. 4 in force at 9.6.2009, see [art. 1](#)

5. No reference in a Line One agreement to a person exercising any powers, having the benefit of any rights or being subject to any obligation in respect of Line One by virtue of an agreement entered into under section 71 of the 1994 Act shall be deemed to be a reference to a person exercising any functions in respect of the authorised works by virtue of an agreement entered into under article 55 (powers of disposal, agreements for operations, etc.) solely by virtue of the repeal of that section.

**Commencement Information**

**I5** Sch. 17 para. 5 in force at 9.6.2009, see [art. 1](#)

6. The references in the following Line One agreements to specified provisions of the 1994 Act shall be construed as if those provisions were still in force for the purposes of each such agreement

(a) in the General Works Agreement with Railtrack PLC, dated 11th May 2000, the references to—

section 25;

(1) 1978 c. 30.

**Changes to legislation:** *There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, SCHEDULE 17. (See end of Document for details)*

- section 41(2)(b);
  - section 41(7);
  - section 41(8);
  - section 41(14); and
  - section 41(16);
- (b) in the Operating Framework Agreement with Railtrack PLC, Arrow Light Rail Limited, and Transdev Tram U.K. Limited, dated 11th May 2000, the reference to section 25;
- (c) in the Maintenance Agreement with Railtrack PLC, dated 11th May 2000, the references to—
- section 41(13);
  - section 41(14)(b); and
  - section 41(15); and
- (d) in the Services Agreement with Railtrack PLC, Arrow Light Rail Limited, DaimlerChrysler Rail Systems (UK) Limited, and Carillion Construction Limited, dated 11th May 2000, the references to—
- section 41(14)(b); and
  - section 41(15).

---

**Commencement Information**

**16** Sch. 17 para. 6 in force at 9.6.2009, see [art. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, SCHEDULE 17.