
STATUTORY INSTRUMENTS

2009 No. 1300

The Nottingham Express Transit System Order 2009

PART 4

OPERATION OF THE AUTHORISED TRAMWAY

Powers of disposal, agreements for operation, etc.

- 55.**—(1) The promoter may, with the consent of the Secretary of State, enter into agreements—
- (a) to transfer, charge or otherwise dispose of to another person (“the transferee”) any interest of the promoter in the authorised works or the promoter’s right to construct, maintain, use or operate the authorised works; or
 - (b) to grant to another person (“the lessee”) for a period agreed between the promoter and the lessee any interest of the promoter in the authorised works or the promoter’s right to construct, maintain, use or operate the authorised works; and
 - (c) that are connected with or consequential on any agreement entered into under sub-paragraph (a) or (b).
- (2) Any agreement referred to in paragraph (1) may provide—
- (a) for any matters that are connected with the matters referred to in that paragraph or are consequential on them;
 - (b) for the financing or defraying of, or the making of contributions by the promoter or by any other person towards, the cost of constructing, maintaining, using or operating the authorised works; and
 - (c) for the transferee, the lessee or any other person to exercise, enjoy or be responsible for any related functions of the promoter, including its functions comprised in this Order, either exclusively or concurrently with the promoter or any other person.
- (3) Where an agreement has been made under paragraph (1), references in this Order to the promoter shall include references to the transferee, the lessee or any other person who may exercise, enjoy or be responsible for any related functions of the promoter pursuant to that agreement.
- (4) The exercise of the powers conferred by any enactment by any person in pursuance of any agreement made under paragraph (1) shall be subject to the same restrictions, liabilities and obligations as would apply under this Order if those powers were exercised by the promoter.
- (5) The promoter may provide to any person in any agreement made under paragraph (1), or in connection with or in consequence of any such agreement, or otherwise in connection with the design, construction, financing, maintenance, use or operation of the authorised works, such guarantees, indemnities or other forms of security as it considers to be necessary or appropriate.
- (6) In this article—
- (a) “functions” means statutory and other powers, duties, rights, interests and obligations; and
 - (b) references to the authorised works shall be read as including references to any land held in connection with the authorised works.

Changes to legislation: *There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, Section 55. (See end of Document for details)*

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Commencement Information

II Art. 55 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, Section 55.