S C H E D U L E S

SCHEDULE 8

TRANSFERS BY TRANSFER SCHEME

Proof of title by certificate

6   (1) In the case of any transfer to which this Schedule applies, a joint certificate by or on behalf of the transferor and the transferee that—

     (a)   any property specified in the certificate, or

     (b)   any such interest in or right over any such property as may be so specified, or

     (c)   any right or liability so specified,

is property, or (as the case may be) an interest, right or liability which was intended to be, and was vested by virtue of the scheme in such one of them as may be so specified (and, if it is the transferee who is so specified, that the property, interest, right or liability has not been transferred back to the transferor by virtue of an agreement under paragraph 3(2) above) shall be conclusive evidence for all purposes of that fact.

   (2) If on the expiration of one month after a request from either the transferor or the transferee for the preparation of such a joint certificate as respects any property, interest, right or liability they have failed to agree on the terms of the certificate, they shall refer the matter to the Secretary of State and issue the certificate in such terms as he may direct.

   (3) This paragraph is without prejudice to paragraph 14(6) and (7) below.

Status:
Point in time view as at 16/10/2015.

Changes to legislation:
Railways Act 1993, Cross Heading: Proof of title by certificate is up to date with all changes known to be in force on or before 31 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.