
STATUTORY INSTRUMENTS

2017 No. 865

The Network Rail (Felixstowe Branch Line Land Acquisition) (Agreements for Transfer) Order 2017

Agreements between the undertaker and Network Rail

3.—(1) In addition to the power to enter into agreements conferred under article 39 (agreements with Network Rail) of the 2008 Order, the undertaker and Network Rail may enter into and carry into effect agreements for the exercise by Network Rail, or by Network Rail and the undertaker jointly, of all or any of the powers under the 2014 Order.

(2) Any agreement made under the powers conferred by this article may contain such incidental, consequential or supplementary provisions as may be agreed between the undertaker and Network Rail, including (but without limitation on the scope of paragraph (1)) provision modifying references to the railway undertaking of the undertaker in articles 3(1) and 7(1) of the 2014 Order so as to include or substitute references to the railway undertaking of Network Rail.

(3) The exercise by the undertaker or Network Rail or by the undertaker and Network Rail jointly, of any powers and rights under any enactment or contract pursuant to any such agreement as is authorised by paragraph (1) is subject to all statutory and contractual provisions relating to it as would apply if such powers and rights were exercised by the undertaker alone, and accordingly such provisions, with any necessary modifications, apply to the exercise of such powers and rights by the undertaker or Network Rail or by the undertaker and Network Rail jointly, as the case may be.