

DOCUMENT “TS” - TRANSFER SCHEME

**TRANSFER SCHEME
OF
THE STRATEGIC RAIL AUTHORITY
MADE PURSUANT TO SCHEDULE 21 OF THE
TRANSPORT ACT 2000**

IN FAVOUR OF

[SUCCESSOR OPERATOR]

**IN RESPECT OF
CERTAIN PROPERTY, RIGHTS AND LIABILITIES
OF
ARRIVA TRAINS WALES/TRENAU ARRIVA CYMRU
LIMITED
ON [DATE]**

Strategic Rail Authority
55 Victoria Street
London SW1H 0EU

Transfer Scheme

Whereas:

- (A) Arriva Trains Wales/Trenau Arriva Cymru Limited (the “**Transferor**”) has been providing certain services for the carriage of passengers by railway and operating certain stations and light maintenance depots pursuant to a franchise agreement with the Strategic Rail Authority (the “**Authority**”) dated [DATE] (the “**Franchise Agreement**”).
- (B) The Franchise Agreement terminated or is to terminate on [DATE] and [**Successor Operator**] (the “**Transferee**”) is to continue the provision of all or part of such services or the operation of all or some of such stations and light maintenance depots under a new franchise agreement or in connection with the performance or exercise of the duties and powers of the Authority to secure the provision of such services or the operation of such stations or light maintenance depots.
- (C) Certain property, rights and liabilities of the Transferor which were designated as franchise assets for the purpose of the Franchise Agreement are to be transferred to the Transferee under a transfer scheme made by the Authority under Schedule 21 of the Transport Act 2000.

The Authority, in exercise of the powers conferred on it by Schedule 21 of the Transport Act 2000, hereby makes the following scheme:

1 Definitions and Interpretation

In this Transfer Scheme “**function**” and “**statutory provision**” have the meanings ascribed to such terms in the Transport Act 2000.

2 Transfer of Property, Rights and Liabilities

The property, rights and liabilities of the Transferor specified or described in the Schedule shall be transferred to, and vest in, the Transferee.

3 Statutory Functions

Subject to any amendment to the relevant statutory provisions which comes into force on or after the date on which this Transfer Scheme is made, there shall be transferred to the Transferee all the functions of the Transferor under any statutory provisions if and to the extent that any such statutory provision:

- (a) relates to any property which is to be transferred by this Transfer Scheme; or
- (b) authorises the carrying out of works designed to be used in connection with any such property or the acquisition of land for the purpose of carrying out any such works.

4 Supplemental Agreement

Each of the Transferor and the Transferee shall enter into [the Supplemental Agreement (as defined in the Franchise Agreement)] on the coming into force of this Transfer Scheme.

This Transfer Scheme is made by the Authority on [DATE].

THE SEAL of the **Strategic Rail
Authority** was hereunto affixed in the
presence of:

}

Authorised by the Strategic Rail Authority

Schedule

[LIST RELEVANT FRANCHISE ASSETS TO BE TRANSFERRED TO SUCCESSOR OPERATOR]