

## SCHEDULES

### SCHEDULE 31

#### TRANSFER SCHEMES: FURTHER PROVISION

##### *Obligations to enter into agreements or execute instruments*

- 11 (1) A transfer scheme may contain provision for imposing, on the transferor or a transferee, obligations—
- (a) to enter into agreements with persons specified in the scheme, or
  - (b) to execute instruments in favour of persons specified in the scheme.
- (2) Any person may be specified by virtue of sub-paragraph (1)(a) or (b) (including the transferor or a transferee).
- (3) Where a scheme contains provision for imposing an obligation of the kind mentioned in sub-paragraph (1)—
- (a) the scheme must specify or describe the agreement or instrument to which the obligation relates, and
  - (b) the obligation may be enforced in any authorised way by the person—
    - (i) with whom the agreement is to be entered into, or
    - (ii) in favour of whom the instrument is to be executed.
- (4) In sub-paragraph (3)(b), “enforced in any authorised way” means enforced—
- (a) in civil proceedings for an injunction,
  - (b) in civil proceedings for any other appropriate remedy or relief, or
  - (c) in any other way authorised by the scheme.
- (5) The scheme may provide that sub-paragraph (4)(a) or (b)—
- (a) does not apply in relation to the obligation, or
  - (b) applies in relation to the obligation subject to restrictions imposed by the scheme.