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STATUTORY INSTRUMENTS

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**1999 No. 2129**

**The Welsh Highland Railway Order 1999**

**PART V**

**OPERATION OF RAILWAYS**

**Agreement with other railway operators**

**35.**—(1) The undertaker may enter into an agreement with another railway operator, providing for the transfer of the undertaking and the vesting of it in the other operator or providing for the transfer of the other operator's railway and the vesting of it in the undertaker.

(2) Any transfer made pursuant to a provision of the types mentioned in paragraph (1) above shall only be valid if the written consent of the Secretary of State is obtained prior to the making of the transfer.

(3) Where a valid transfer of the types mentioned in paragraph (1) above is made, as from the date on which that transfer takes effect, the transferee shall, to the exclusion of the transferor, be entitled to the benefit of, and to exercise, all rights, powers and privileges and be subject to all obligations whether statutory or otherwise for the time being in force in respect of the railway or such part of it as is transferred.

(4) In giving his consent pursuant to paragraph (2) above, the Secretary of State may impose such terms, conditions or restrictions on or in relation to the transfer as he shall think fit.

(5) In this article, "the undertaking" means the railway and the Caernarfon railway.