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# 69<sup>th</sup> Supplemental Agreement

between

**NETWORK RAIL INFRASTRUCTURE LIMITED**

as Network Rail

and

**STAGECOACH SOUTH WESTERN TRAINS  
LIMITED**

as Train Operator

relating to

the Track Access Contract (Passenger Services) dated  
20th May 2004

**THIS 69<sup>TH</sup> SUPPLEMENTAL AGREEMENT** is dated 12/05/17 and made between:

- (1) **NETWORK RAIL INFRASTRUCTURE LIMITED** a company registered in England under number 2904587 having its registered office at 1 Eversholt Street, London, NW1 2DN ("Network Rail"); and
- (2) **STAGECOACH SOUTH WESTERN TRAINS LIMITED**, a company registered in England under number 599788 having its registered office at Friars Bridges Court, 41-45 Blackfriars Road, London, SE1 8NZ (the "Train Operator").

**WHEREAS:**

- (A) Network Rail and South West Trains Limited entered into a Track Access Contract (Passenger Services) dated 20 May 2004 in a form approved by the Office of Rail and Road (ORR) pursuant to Section 18(7) of the Act, as amended by various supplemental agreements each in a form approved by ORR pursuant to Section 22 of the Act (which track access contract as subsequently amended is hereafter referred to as the "Contract").
- (B) The rights and obligations of South West Trains Limited under the Contract were transferred to the Train Operator pursuant to a transfer scheme made by the Secretary of State for Transport on 4 February 2007 under section 200 and Schedule 21 of the Transport Act 2000.
- (C) The parties now propose to enter into this Supplemental Agreement to vary the Contract in the manner and on the terms set out below.

**IT IS HEREBY AGREED** as follows:

1. **INTERPRETATION**

In this Supplemental Agreement:

- (A) Words and expressions defined in and rules of interpretation set out in the Contract shall have the same meaning and effect when used in this Supplemental Agreement except where the context requires otherwise; and
- (B) "Effective Date" means the date upon which the ORR issues its approval pursuant to Section 22 of the Act of the terms of this Supplemental Agreement.

2. **EFFECTIVE DATE AND TERM**

Notwithstanding the Effective Date, the amendments to the contract as set out in this Supplemental Agreement shall be applied from 8 February 2017 and shall cease to have effect at the Expiry Date or earlier termination of the Contract.

3. **AMENDMENTS TO THE CONTRACT**

Appendix 7D to Schedule 7 of the Track Access Contract shall be deleted in its entirety and replaced by the new Appendix 7D as set out in Annex A to this Supplemental

**IN WITNESS** whereof the duly authorised representatives of Network Rail and the Train Operator have executed this Supplemental Agreement on the date first above written

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SIGNED by... *Rebecca Lumlock* .....  
Print name..... Rebecca Lumlock.....

duly authorised for and on behalf of  
NETWORK RAIL INFRASTRUCTURE LIMITED

SIGNED by... *Margaret Kay* .....  
Print name..... MARGARET KAY.....

duly authorised for and on behalf of  
STAGECOACH SOUTH WESTERN TRAINS LIMITED

	450110, 450111, 450116, 450127, 450544, 450548, 450551, 450552, 450556, 450567, 450569, 450563.	
456	456002, 456003, 456004, 456006, 456010, 456012, 456014, 456015, 456017, 456018, 456019, 456024.	DC
707	ALL.	DC