

## SCHEDULE 23

### RAIL OVERBRIDGE EXCLUDED OBLIGATIONS

The obligations on the Scottish Ministers in the Rail Overbridge Agreement shall be fulfilled by the Company, other than those obligations on the Scottish Ministers which are contained in the clauses (in the Rail Overbridge Agreement) listed below.

Clause	Notes
Clause 2.2.1.1 (iv)	The Company's obligation in respect of compliance with the DMRB (as defined in this Agreement) shall be as set out in Schedule 2 (New Works Requirements).
Clause 2.2.4.1	The Contracting Authority will be the only client until the Effective Date, at which point the provisions of Clause 20 of this Agreement shall apply.
Clause 2.12	
Clause 3.4	
Clause 3.12	
Clause 3.13	The obligations in this clause will be fulfilled by the Scottish Ministers, other than where the partial or full closure of the Railway Infrastructure or the temporary imposition of restrictions on traffic using the Railway Infrastructure (in each case as defined in the Rail Overbridge Agreement) arises as a consequence of a breach by the Company of its obligations under this Agreement, in which case the obligation in this clause 3.13 to meet all reasonable costs will be met by the Company.
Clause 5	
Clause 6.3.2	
Clause 6.6	
Clauses 6.9 & 6.10	
Schedule 2	Paragraph A Paragraph B (until the Effective Date) Paragraph C (until the Effective Date)
Schedule 4	
Schedule 6	

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