

**RAIL PUBLIC REGISTER COPY
REDACTED IN ACCORDANCE WITH FOIA 2000**



South Western Railway

A FirstGroup and MTR company

South West Trains
Notice of Variation



Department for Transport

First MTR South Western Trains Limited
4th Floor South Bank Central
30 Stamford Street
London SE1 9LQ

Attention: Claire Mann - Managing Director

CC by E-mail: [REDACTED¹], Head of Government
Partnership; [REDACTED²], Finance Director First
Group

Graham Stockbridge
Deputy Director
Market Team: Wessex and Western

Passenger Services
Rail Strategy and Services Group

Department for Transport
2nd Floor, Great Minster House
33 Horseferry Road
London,
SW1P 4DR

[REDACTED³]

[REDACTED⁴]

Date: 09 February 2023

[REDACTED⁵]

Dear Claire,

NATIONAL RAIL CONTRACT (THE "NATIONAL RAIL CONTRACT") DATED 19 MAY 2021 BETWEEN THE SECRETARY OF STATE FOR TRANSPORT (THE "SECRETARY OF STATE") AND FIRST MTR SOUTH WESTERN TRAINS LIMITED (THE "OPERATOR")

NOTICE OF NATIONAL RAIL CONTRACT EXTENSION OF TERM

1. Words and expressions defined in the National Rail Contract have the same meaning when used herein unless the context otherwise implies.
2. Pursuant to clause 2.2 of the National Rail Contract, the Secretary of State is permitted to extend the duration of the National Rail Contract by giving notice to the Operator by no later than 5 March 2023 that the National Rail Contract will continue beyond the Expiry Date. The Expiry Date as defined under limb (a) of the Expiry Date definition in the National Rail Contract is 01:59 on 28 May 2023 (the "Expiry Date").

¹ 6 July 2023 (Date of Redactions Approval) CR03965 - Where text has been omitted from the document - this is because the Secretary of State has decided to exclude the text in accordance with the provisions within the Freedom of Information Act 2000.

² 6 July 2023 (Date of Redactions Approval) CR03965 - Where text has been omitted from the document - this is because the Secretary of State has decided to exclude the text in accordance with the provisions within the Freedom of Information Act 2000.

³ 6 July 2023 (Date of Redactions Approval) CR03965 - Where text has been omitted from the document - this is because the Secretary of State has decided to exclude the text in accordance with the provisions within the Freedom of Information Act 2000.

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3. The Secretary of State hereby gives Notice to the Operator that the National Rail Contract shall continue after the Expiry Date on the terms set out in the National Rail Contract for [26] Reporting Periods following the Expiry Date. Pursuant to limb (c) of the definition of Expiry Date in the National Rail Contract, the updated Expiry Date shall be 25 May 2025.
4. The Parties agree that nothing in this Notice shall, of itself, constitute a Cost Budget Change Event, Financial Target Amendment Event and/or Operational Performance Target Amendment Event, as applicable for the purposes of the National Rail Contract.
5. In the event of any conflict between the provisions of this Notice and provisions of the National Rail Contract the provisions of this Notice shall take precedence.
6. This Notice is supplemental to and shall be read and construed together with the National Rail Contract. References to the National Rail Contract shall be to the National Rail Contract as amended by this Notice.
7. This Notice will:
 - a. Be published alongside the National Rail Contract published on the website of the Department for Transport, pursuant to the Secretary of State's Freedom of Information Act 2000 Publication Scheme;
and
 - b. the register of Rail Contracts the Secretary of State is required to keep under Section 73 of the Railways Act 1993,unless the Operator proposes otherwise, and the Secretary of State agrees.
8. This Notice shall be governed and construed in accordance with the laws of England and Wales.

Yours sincerely

[REDACTED⁶]

Deputy Director, Market Lead: Western & Wessex

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