

SCHEDULE 5.3

THIS IS SCHEDULE 5.3 REFERRED TO IN THE FOREGOING FRANCHISE AGREEMENT AMONG THE STRATEGIC RAIL AUTHORITY, STRATHCLYDE PASSENGER TRANSPORT EXECUTIVE AND FIRST SCOTRAIL LIMITED

Allocation of Fares to Fares Baskets

1. ALLOCATION OF FARES TO FARES BASKETS

1.1 On or prior to the Franchise Commencement Date the Authority shall allocate each Commuter Fare and each Protected Fares (other than the Protected Fares referred to in paragraph 1.3) to the relevant Fares Basket in accordance with this Schedule 5.3.

1.2 Every Commuter Fare shall be allocated by the Authority to a Commuter Fares Basket and every Protected Fare (other than the Protected Fares referred to in paragraph 1.3) shall be allocated by the Authority to a Protected Fares Basket.

1.3 The Protected Fares which are not to be allocated at the Franchise Commencement Date to the Protected Fares Basket (and are therefore to be individually regulated) are the Protected Return Fare and the Protected Weekly Season Ticket.

1.4 The parties recognise that the exercise of the rights of the Authority and/or the SPTE may result in there being more than one Commuter Fares Basket and/or more than one Protected Fares Basket.

1.5 At the Franchise Commencement Date there are to be no Protected Fares allocated to a Protected Fares Basket.

1.6 For the purpose of paragraph 1.1, on the date hereof the Authority allocates each Commuter Fare to an Edinburgh Fares Basket, which shall be a Commuter Fares Basket.

1.7 The Commuter Fares Document shall be developed between the Authority and the Franchisee to reflect the allocation in paragraph 1.6 and each of the Authority and the Franchisee shall use all reasonable endeavours to ensure it is completed by the Franchise Commencement Date or as soon as reasonably practicable thereafter.