

Date [*insert*]

Articles of Agreement
[*Insert GW contract ref*]

relating to the [*insert ref/name*] Bus Unit

Wellington Regional Council (**GWRC**)

And

[*Operator*] (**Operator**)

[Key to notes in this document:

Green highlighting = drafting notes. These will be removed in due course.

Yellow highlighting = notes for Tenderers/Operators]

Parties

- 1 Wellington Regional Council, a public statutory body constituted under the Local Government Act 2002 (**GWRC**); and
- 2 [**Operator**] (company number [*insert*]) (**Operator**).

Background

- A The 2014 Wellington Regional Public Transport Plan sets the direction for public transport in the Wellington region for the 10 years commencing 1 July 2014, consistent with the relevant principles set out at section 115(1) of the LTMA.
- B The LTMA requires the allocation of all public transport services in the Wellington region (except for those that are Exempt Services) to ‘units’ made up of unique service routes or groups of routes, with passenger services for each unit delivered under contract between GWRC and the relevant public transport operator. The ‘units’ in the Wellington region will comprise one ferry unit, one rail unit and multiple bus units.
- C This Partnering Contract relates to [Bus Unit *insert number and name*].
- D The Operator has agreed to provide the Services in accordance with this Partnering Contract.

Operative provisions

1. **Definitions and interpretation**
 - 1.1 The definitions and interpretation provisions set out at Schedule 1 (*Definitions and interpretation*) of the Partnering Contract apply unless the context requires otherwise.
2. **Partnering Contract**
 - 2.1 On the date of these Articles of Agreement, the Parties enter into and agree to be bound by the Partnering Contract comprising:
 - 2.2 these Articles of Agreement;
 - 2.3 the following documents in the Appendix to these Articles of Agreement:
[*To be confirmed whether these Schedules are required to be executed. As an*

[insert number]

alternative the final forms could be included on the Data Storage Medium. The downside is that the Data Storage Medium will be different for each unit if we follow this approach.

2.3.1 Schedule 2 (*Agreement Details*);

2.3.2 Schedule 13 (*Transition Plan*);

2.3.3 Schedule 15 (*Operator's Proposals*);

2.3.4 [Annexure 5 (*Transfer Agreements*);]

2.3.5 Annexure 21 (*Approved Transferring Asset Agreements*); and

2.4 the documents set out on the [Data Storage Medium labelled [xxx] and initialled by the Operator and GWRC for the purposes of identification.]
[To be confirmed if this will be a CD Rom, a USB Drive or a data room. This will include the main body and all of those Schedules and Annexures which do not require tailoring to the individual Bus Units or Operators]

References to the Partnering Contract includes the Schedules, Annexures, Appendices and any other documents incorporated by reference.

3. Counterparts

3.1 These Articles of Agreement may be executed in any number of counterparts, all of which when taken together shall constitute one and the same instrument.

Appendix

[*Schedules 2, 13, 15 and Annexures 5 and 21*]

Execution

Wellington Regional Council by

Witnessed by

Signature of authorised person

Signature of witness

Name of authorised person

Name of witness

Title of authorised person

Occupation of witness

Address of witness

[*Drafting note - execution block of Operator will depend on how the Operator will execute*]

[Operator] by

Authorised signatory

Name

Title