
EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes a body corporate known as the Local Government Residuary Body (England) (“the Residuary Body”) for the purpose of taking over the residual property, rights or liabilities of local authorities which are abolished by virtue of orders made under section 17 of the Local Government Act 1992 (implementation of recommendations of Local Government Commission).

Part I of the Order deals with the constitution and membership of the Residuary Body.

Part II makes provision in respect of the Residuary Body’s accounts; the audit of those accounts and the publication of an annual report (a copy of which is required to be laid before Parliament).

Part III deals with the Residuary Body’s general functions. It has a general duty to arrange (as soon as is practicable) for the transfer to other persons of any property, rights or liabilities vested in it or make proposals to the Secretary of State for effecting such transfers by order. The Secretary of State is empowered to give directions to the Residuary Body in respect of the exercise of its functions.

Part IV contains provisions relating to the Residuary Body’s power to issue levies; its duty to distribute surplus money and its power to borrow.

Part V makes provision enabling the Secretary of State to require the Residuary Body to submit a scheme for its winding-up.

The Schedule to the Order applies various local government provisions which were applied to the residuary bodies established under the Local Government Act 1985 (c. 51).