
STATUTORY INSTRUMENTS

2013 No. 2314

**The Public Bodies (Abolition of BRB
(Residuary) Limited) Order 2013**

Citation and commencement

1.—(1) This Order may be cited as the Public Bodies (Abolition of BRB (Residuary) Limited) Order 2013.

(2) Subject to paragraph (3), this Order shall come into force on 30th September 2013 or, if later, the day after the day on which it is made.

(3) Article 9 comes into force on the day after that on which the other provisions of this Order come into force.

Interpretation

2. In this Order—

“NRAL” means Network Rail (Assets) Limited, a company limited by guarantee and incorporated in England and Wales under company number 08225646 whose registered office is at Kings Place, 90 York Way, London N1 9AG; and

“NR Property” means the properties and assets listed in the Schedule and shown on plans set out in the Annex to the Schedule.

Transfer of functions

3.—(1) Subject to paragraph (2), all the functions of BRB (Residuary) Limited are transferred to the Secretary of State.

(2) The functions of BRB (Residuary) Limited in relation to the NR Property are transferred to NRAL.

Abolition of BRB Residuary

4.—(1) BRB (Residuary) Limited is abolished.

(2) The registrar of companies for England and Wales⁽¹⁾ shall as soon as practicable—

(a) remove BRB (Residuary) Limited’s name from the register; and

(b) place a statement on the register that BRB (Residuary) Limited has been abolished pursuant to this Order.

(3) In this article, the “register” has the same meaning as in the Companies Act 2006⁽²⁾.

(1) The registrar of companies for England and Wales is appointed under section 1060 of the Companies Act 2006 (c.46).

(2) See section 1080(2) of the Companies Act 2006.

Amendment to the Transport Act 1968

5.—(1) The Transport Act 1968(3) is amended as follows.

(2) In section 117 (duty as respects bridges carrying highways) after subsection (1D) insert—

“(1E) This section also applies to a bridge (whenever constructed) which—

- (a) carries a highway over a railway of the Secretary of State, or any other installation or land used by the Secretary of State in connection with a railway, and
- (b) belongs to the Secretary of State;

and in relation to any such bridge references in this section to each of the Boards or a Board are, subject to subsection (1F), to be read as references to the Secretary of State.

(1F) Subsection (7) applies in relation to a bridge constructed by or belonging to—

- (a) the Secretary of State and one or more of the Boards mentioned in subsection (1) of this section;
- (b) the Secretary of State and a network owner;
- (c) the Secretary of State and Canal & River Trust; or
- (d) the Secretary of State and one or more of the Boards mentioned in subsection (1) of this section, a network owner and Canal & River Trust;

as it applies in relation to a bridge constructed by or belonging to any two or more Boards.”

(3) In section 118 (duty of highway authorities, etc, as respects bridges over certain railways or inland waterways) after subsection (1B) insert—

“(1C) This section also applies to any bridge (whenever constructed) which—

- (a) carries a highway over a railway of the Secretary of State, but
- (b) does not belong to the Secretary of State,

and in relation to any such bridge references in this section to any of the said Boards or a Board are to be read as references to the Secretary of State.”

Amendment to Edinburgh Tram Acts

6.—(1) In section 13 (agreements with Network Rail and BRB (Residuary) Limited) of the Edinburgh Tram (Line One) Act 2006(4) for “BRB (Residuary) Limited”, in each place where it appears, substitute “the Secretary of State”.

(2) In section 13 (agreements with Network Rail and BRB (Residuary) Limited) of the Edinburgh Tram (Line Two) Act 2006(5) for “BRB (Residuary) Limited”, in each place where it appears, substitute “the Secretary of State”.

Repeal of entry in the House of Commons Disqualification Act 1975

7. In Part III (other disqualifying offices) of Schedule 1 to the House of Commons Disqualification Act 1975(6) the entry “Director of BRB (Residuary) Limited” is repealed.

(3) 1968 c. 73. Section 117(1)(a) and section 118(1)(a) were amended by S.I. 2003/1615; section 117(1A) and (1B) and section 118(1A) were inserted by S.I. 1996/420; section 117(1C) and (1D) and section 118(1B) were inserted by S.I. 2012/1659; There are other amendments and modifications that are not relevant to this Order.

(4) 2006 asp.7.

(5) 2006 asp.6.

(6) 1975 c. 24. The entry for a “Director of BRB (Residuary) Limited” was inserted by S.I. 2010/762. There are other amendments to Part III of Schedule 1 but none are relevant.

Repeal of entry in Scottish Parliament (Disqualification) Order 2010

8. In Part 1 of Schedule 1 to the Scottish Parliament (Disqualification) Order 2010(7) the entry “Director of BRB (Residuary) Limited” is repealed.

Repeal of entry in the Public Bodies Act 2011

9. In Schedule 1 to the Public Bodies Act 2011 (power to abolish: bodies and offices), the entry “BRB (Residuary) Limited” is repealed.

Signed by authority of the Secretary of State for Transport

10th September 2013

Stephen Hammond
Parliamentary Under Secretary of State
Department for Transport