Transport Act 1962 (c. 46)
SIXTH SCHEDULE – Distribution of Commission's Undertaking
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SIXTH SCHEDULE

DISTRIBUTION OF COMMISSION'S UNDERTAKING

Minister's power to alter distribution of property and functions

4 (1) The Minister shall have power—

    (a)   for the purpose of removing any difficulties or uncertainties in the application of sections thirty-one and thirty-two of this Act, or of reconciling the operation of those sections, or

    (b)   for the purpose of facilitating the discharge of the Boards' functions,

by order to direct that notwithstanding those sections any property, rights or liabilities of the Commission, and any functions of the Commission under any local enactments, shall be transferred to such Board or Boards as may be specified in the order.

(2) An order under this paragraph may adapt or modify any local enactment so far as appears to the Minister expedient for the purpose of regulating the manner in which functions of the Commission thereunder are distributed and may contain such other transitional and supplemental provisions as appear to the Minister expedient, including provisions which might be included in an agreement between the Boards under paragraph 1 of this Schedule and provisions having retrospective effect.

(3) An order under this paragraph shall by virtue of this Act have effect to vest any property, rights or liabilities transferred by the order without further assurance.

(4) An order under this paragraph shall not be made more than five years after the vesting date unless it is one which relates, and is expressed to relate, only to a local enactment which authorises the carrying out of works.

(5) An order made under this paragraph may be varied or revoked by a subsequent order so made, and unless the order relates, and is expressed to relate, only to a local enactment which authorises the carrying out of works, shall be made by statutory instrument.

(6) In the application of sub-paragraph (3) of this paragraph to Scotland, the words " without further assurance " shall be omitted.