



# Crossrail Act 2008

## 2008 CHAPTER 18

### *Nominated undertaker*

#### **39 Holder of functions of nominated undertaker**

- (1) The Secretary of State may by order—
  - (a) provide that a person specified in the order shall be the nominated undertaker for such purposes of such provisions of this Act as may be so specified;
  - (b) provide, in relation to any provision under paragraph (a), that the provision shall cease to have effect in such circumstances as may be specified in the order.
- (2) Where, in the case of any provision of this Act which refers to the nominated undertaker, there is any purpose of the provision for which there is no one who is the nominated undertaker under subsection (1), any reference in the provision to the nominated undertaker shall be construed, in relation to that purpose, as a reference to the Secretary of State.
- (3) The Secretary of State may fetter the exercise of his discretion under subsection (1) by agreement with—
  - (a) the Mayor of London, or
  - (b) a person who is, or is proposed to be, specified in an order under that subsection.
- (4) Before exercising the power under subsection (1) or (3)(b), the Secretary of State shall consult the Mayor of London.
- (5) Subsection (4) does not apply to exercise of the power under subsection (1) in accordance with an agreement under subsection (3).
- (6) The Secretary of State may by order make such modifications of any provision of this Act referring to the Secretary of State, so far as applying for a purpose in relation to which subsection (2) has effect, as appear to him to be necessary or expedient in consequence of his having functions by virtue of that subsection.

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**Changes to legislation:** There are currently no known outstanding effects for the Crossrail Act 2008, Cross Heading: Nominated undertaker. (See end of Document for details)

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- (7) An order under this section may contain such supplementary, incidental, consequential or transitional provision as the Secretary of State considers necessary or expedient in connection with the order.
- (8) The power to make an order under this section shall be exercisable by statutory instrument.
- (9) A statutory instrument containing an order under subsection (6) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**Changes to legislation:**

There are currently no known outstanding effects for the Crossrail Act 2008, Cross Heading:  
Nominated undertaker.