
STATUTORY INSTRUMENTS

1995 No. 401

The Local Government Residuary Body (England) Order 1995

PART IV

FUNCTIONS OF THE RESIDUARY BODY

General duty of Residuary Body

15.—(1) Subject to the following provisions of this Part and to any directions given by the Secretary of State, the Residuary Body shall make such arrangements as are practicable for the transfer to other persons of any property, rights or liabilities (and any related functions) which have vested in it by virtue of a relevant instrument or submit proposals to the Secretary of State for effecting such transfers by orders made by him under section 22(3)(a) of the Act.

(2) The Residuary Body shall use its best endeavours to secure that any such arrangements or proposals as are mentioned in paragraph (1) above are made or submitted as soon as is practicable after the date the property, rights, liabilities or functions concerned have vested in it and, in any event, by the end of the period of five years beginning with that date.

Acquisition and disposal of land

16.—(1) The Residuary Body may, with the consent of the Secretary of State, acquire by agreement any land required by it for carrying out its functions

(2) Any disposal by the Residuary Body of land in pursuance of article 15(1) shall be subject to article 17, to the same restrictions as those imposed by subsections (2) and (2A) of section 123 of the 1972 Act⁽¹⁾ in the case of disposals by a principal council under subsection (1) of that section and to any other restrictions to which it is subject by virtue of the following provisions of this Part.

Directions

17.—(1) In exercising the functions conferred on it by this Order or any other relevant instrument, the Residuary Body shall comply with directions given to it by the Secretary of State.

(2) No other provision of this Order relating to the giving of directions by the Secretary of State shall be construed as prejudicing the generality of paragraph (1) above; and any directions given by the Secretary of State may be of a general or particular nature any may be varied or revoked by subsequent directions.

Application of local government provisions

18. The Schedule to this Order shall have effect with respect to the Residuary Body.

(1) Section 129(2A) was inserted by paragraph 14 of Schedule 23 to the Local Government, Planning and Land Act 1980 (c. 65).
[DOE 0038]