
STATUTORY INSTRUMENTS

2004 No. 1817

The Eden Valley Railway Order 2004

Transfer of rights and obligations to undertaker, etc

3.—(1) Except as may be otherwise provided in this Order, as from the relevant date the railway or any part of it shall continue to be subject to all statutory and other provisions applicable to it at that date (in so far as the same are still subsisting and capable of taking effect) and the undertaker shall, to the exclusion of BRB (Residuary) Limited, be entitled to the benefit of, and to exercise, all rights, powers and privileges, and, subject to paragraph (2), be subject to all obligations, statutory or otherwise, relating to the railway (in so far as the same are still subsisting and capable of taking effect), to the intent that BRB (Residuary) Limited shall be released from all such obligations.

(2) Without prejudice to the generality of paragraph (1), sections 116 to 118 of the Transport Act 1968⁽¹⁾ shall, as from the relevant date, apply to the railway or the relevant part of it as if references to the British Railways Board were references to the undertaker.

⁽¹⁾ 1968 c. 73.