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STATUTORY INSTRUMENTS

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**2013 No. 2314**

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

**Amendment to the Transport Act 1968**

5.—(1) The Transport Act 1968<sup>(1)</sup> 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.”.

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<sup>(1)</sup> 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.