



# Transport Act (Northern Ireland) 1967

## 1967 CHAPTER 37

### PART V

#### THE NORTHERN IRELAND TRANSPORT HOLDING COMPANY

#### **60 Discontinuance of railway services.**

- (1) Notwithstanding any provision in this or any other enactment, or any contractual or other obligation to the contrary, the railway undertaking may, subject to the provisions of this section, terminate wholly a transport service provided on any railway line or section of a railway line owned or operated by the railway undertaking and shall not terminate wholly such a transport service except in accordance with the provisions of this section.
- (2) Where the railway undertaking proposes to terminate wholly any transport service as aforesaid (in this Part referred to as a closure), it shall, not less than six weeks before carrying the proposal into effect, publish in two successive weeks in the Belfast Gazette and in two newspapers circulating in the area affected, and in such manner as appears to it to be appropriate, a notice—
  - (a) giving the date and particulars of the proposed closure, and particulars of any alternative services which it appears to the railway undertaking will be available and of any proposals for providing or augmenting such services; and
  - (b) stating that objections on the grounds of hardship to the proposed closure may be lodged in accordance with this section within six weeks of a date specified in the notice (not being earlier than the date on which the notice is last published as required by this section);and copies of the notice shall be sent to<sup>[F1]</sup> the Council].
- (3) Where a notice has been published under subsection (2) any user of any service affected and any body representing such users may within the period specified in the notice lodge with the railway undertaking an objection in writing; and where such an objection is lodged the railway undertaking shall forthwith inform the Minister, and the closure shall not be proceeded with until the Minister has given his consent.

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*Changes to legislation: There are currently no known outstanding effects for the  
Transport Act (Northern Ireland) 1967, Section 60. (See end of Document for details)*

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- (4) Subject to subsection (5), the Minister may give his consent to a closure subject to such conditions as he thinks fit and may from time to time vary those conditions; and the Minister may from time to time give such directions as he thinks fit to the railway undertaking in connection with the closure.
- (5) The Minister shall not consent to a closure by the railway undertaking under this section unless the proposals for the closure have been laid before Parliament and approved by resolution of each House.
- (6) The railway undertaking may terminate wholly a service on a railway line or section thereof—
- (a) if within the time stated in the notice referred to in subsection (2), no such objection as aforesaid is received by the railway undertaking; or
  - (b) if all such objections received by the railway undertaking within that time are at any subsequent time withdrawn; or
  - (c) if the Minister has given his consent to the closure.
- (7) If the railway undertaking becomes, by virtue of subsection (6), entitled to terminate wholly the service provided on any railway line or section thereof, then—
- (a) the termination shall not affect in any way any liability of the railway undertaking to maintain bridges, level crossings, fences, drains and other works constructed and maintained for the use, accommodation or protection of the public generally or of any members of the public or of the owners or occupiers of particular lands;
  - (b) so much of section 47 of the Railway Clauses Consolidation Act 1845, as makes it obligatory on a railway company to employ proper persons to open and shut gates at a level crossing, shall not apply to any level crossing on such railway line if and so long as the gates of such level crossing are kept and secured in such position as to permit the free passage of road traffic across such line at such crossing.

**Changes to legislation:**

There are currently no known outstanding effects for the Transport Act (Northern Ireland) 1967, Section 60.