

Status: Point in time view as at 08/02/2007.

Changes to legislation: Transport Act 2000, Paragraph 32 is up to date with all changes known to be in force on or before 02 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 27

MINOR AND CONSEQUENTIAL AMENDMENTS ABOUT RAILWAYS

Railways Act 1993 (c.43)

- 32 (1) In section 57 (validity and effect of orders) is amended as follows.
- (2) In subsection (2), omit paragraph (b).
- (3) After that subsection insert—
- “(2A) If such an application is made in relation to a provision of an order requiring the payment of a sum in the event of a contravention and the sum would be payable before the time when the application is determined, it need not be paid until that time.
- (2B) Where such an application is so made the court, if satisfied as mentioned in subsection (2) above, may (instead of quashing the order or the provision of the order) make provision under either or both of paragraphs (a) and (b) of subsection (2C) below.
- (2C) The provision referred to in subsection (2B) above is—
- (a) provision substituting for the sum, or provision for determining a sum, specified in the order such lesser sum, or such other provision for determining a sum, as the court considers appropriate in all the circumstances of the case; and
- (b) provision substituting for the date by which the sum is to be paid specified in or determined in accordance with the order such later date as the court considers appropriate in all the circumstances of the case.
- (2D) Where the court substitutes a lesser sum, or different provision for determining a sum, it may require the payment of interest on the new sum at such rate, and from such date, as it determines; and where it specifies as the date by which the sum is to be paid a date before the determination of the application it may require the payment of interest on the sum from that date at such rate as it determines.”
- (4) In subsection (9), for “section 58” substitute “ sections 57F and 58 ”.
- (5) In the sidenote, after “of” insert “ section 55 ”.

Commencement Information

- II** Sch. 27 para. 32 wholly in force at 1.2.2001, see s. 275(1)(2) and S.I. 2001/57, art. 3(1), Sch. 2 Pt. I (subject to the transitional provision and saving in Sch. 2 Pt. II)

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