



Railways (Electrical Power) Act 1903

1903 CHAPTER 30 3 Edw 7

An Act to facilitate the Introduction and Use of Electrical Power on Railways. [14th August 1903]

Textual Amendments

- F1** Act repealed (E.W.S) (1.1.1993) by [Transport and Works Act 1992 \(c. 42\)](#), ss. 65(1), 68(1), [Sch. 4, Pt. I](#); [S.I. 1992/2784](#), arts. 2, 3, [Schs.1, 2 Pt. II](#)

Modifications etc. (not altering text)

- C1** Functions of Board of Trade under this Act now exercisable by Minister of Transport: [Ministry of Transport Act 1919 \(c. 50\)](#), s. 2, [S.I. 1953/1204](#) (1953 I, p. 1225), art. 3(1), 1959/1768 (1959 I, p. 1793), art. 3(2), 1970/1681, art. 2(1) and 1979/571, art. 2(1)
- C2** This Act is not necessarily in the form in which it has effect in Northern Ireland

1 Introduction of electrical power under orders of Board of Trade.

- (1) With the object of facilitating the introduction and use of electrical power on railways, the Board of Trade may, upon the application of a railway company, make orders for all or any of the following purposes, namely:—
- authorising a railway company to use electricity, in addition to or in substitution for any other motive power, and for any other purpose;
 - authorising the company to construct and maintain generating stations or other electrical works on any land belonging to the company;
 - authorising agreements between the company and any body corporate or other person for the supply to the company of electrical power or the supply to or use by the company of any electrical plant or equipment;
 - sanctioning any modification of any working agreement, so far as the modification is agreed to between the parties thereto and is consequential on the introduction or use of electrical power;
 - authorising the company to subscribe to any electrical undertaking which will facilitate the supply of electricity to the company;
 - securing the safety of the public;

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- (g) authorising the issue of new capital by the company for any of the purposes of this Act;
- (h) any other matters, whether similar to the above or not, which may be considered ancillary to the objects of the order or expedient for carrying those objects into effect.

(2) F2

Textual Amendments
F2 S. 1(2) repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), Sch. 1 Pt. XII

2 Acquisition of land for electrical works.

- (1) An order under this Act may contain provisions authorising the acquisition of land, by any railway company, for the purpose of constructing generating stations or other electrical works, but, if power is given by order to acquire the land otherwise than by agreement, the order shall not come into operation, so far as it gives that power, unless confirmed by Parliament, and the Board of Trade may bring in a Bill for confirming the order.
- (2) If, while a Bill confirming any such order is pending in either House of Parliament, a petition is presented against the order, the Bill, so far as it relates to the order, may be referred to a Select Committee or, if the two Houses of Parliament think fit so to order, to a Joint Committee of those Houses, and the petitioner shall be allowed to appear and oppose, as in the case of Private Bills.

3 Board of Trade inquiries.

- (1) Before making an order under this Act, the Board of Trade shall be satisfied that the public notice, required by rules made under this Act, of the application for the order has been given, and shall consider any objections, made by the council of any county, any local authority or other person, to the application in accordance with those rules, and give to those by whom the objection is made an opportunity of being heard, and, if after consideration the Board decide that the objection should be upheld, the Board shall not make the order or shall modify the order so as to remove the objection.
- (2) The Board of Trade may, if they think fit, hold a local inquiry for the purpose of considering any application for an order under this Act, and the ^{M1}Board of Trade Arbitrations, &c. Act 1874, shall apply to any inquiry so held as if—
 - (a) the inquiry was held on an application made in pursuance of the special Act; and
 - (b) the parties making the application for the order and any person objecting to any such application were parties to the application within the meaning of section three of that Act.

Marginal Citations
M1 1874 c. 40.

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4 Expenses and fees.

- (1) The Board of Trade may (with the concurrence of [^{F3}the Minister for the Civil Service] as to number and remuneration) appoint or employ such persons as appear to them to be required for carrying this Act into effect, and the remuneration of such persons and any other expenses of the Board of Trade under this Act shall be defrayed out of moneys provided by Parliament.
- (2) There shall be charged, in respect of proceedings under this Act before the Board of Trade, such fees as may be fixed by the Treasury on the recommendation of the Board of Trade.

Textual Amendments

F3 Words substituted by virtue of [S.I. 1968/1656](#), [arts. 2, 3\(2\)](#)

5 Power to Board of Trade to make rules.

The Board of Trade may make such rules as they think necessary for regulating the notices and advertisements to be given of any application for an order under this Act or otherwise for the purposes of this Act, and any other matter which they think expedient to regulate by rule for the purpose of carrying this Act into effect.

6 †Interpretation, saving and short title and commencement.

- (1) In this Act the expression “railway company” includes a company or person working a railway under lease or otherwise.
- (2) Nothing in this Act shall affect any powers which a railway company may have independently of this Act.
- (3) This Act may be cited as the Railways (Electrical Power) Act 1903.
- (4)^{F4}

Textual Amendments

F4 [S. 6\(4\)](#) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

Modifications etc. (not altering text)

C3 Unreliable marginal note

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Commencement Orders yet to be applied to the Railways (Electrical Power) Act 1903

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2005/3107 art. 23](#) commences (2004 c. 32)