

*Status: Point in time view as at 01/04/1994.*

*Changes to legislation: There are currently no known outstanding effects for the Transport Act 1962, SECOND SCHEDULE. (See end of Document for details)*

## SCHEDULES

### SECOND SCHEDULE

#### TRANSFER OF COMMISSION’S STATUTORY FUNCTIONS

##### PART I

##### PUBLIC ACTS

###### Modifications etc. (not altering text)

- C1** Sch. 2 Pt. I amended (E.W.) by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), s. 67(2), [Sch. 4 paras. 1\(1\)\(2\)\(b\), 6\(2\)\(b\)\(3\)\(5\)](#)

###### *The Railway Fires Act, 1905*

*5 Edw. 7. c. 11*

Section 2 (Powers of entry on land).

The reference to a railway company shall include a reference to any of the Boards.

###### *[<sup>F1</sup> The London Passenger Transport Act, 1933*

*23 & 24 Geo. 5. c. 14*

###### Textual Amendments

- F1** Entry relating to the London Passenger Transport Act 1933 repealed (E.W.) by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), s. 71(3)(b), [Sch. 7](#)

###### Modifications etc. (not altering text)

- C2** The text of ss. 13(4), 20(4), 36(4), 37, 61(2), 68(1), 84(2)(4), the reference in Sch. 2 to London Passenger Transport Act 1933 and Sch. 11 Pt. II para 8, (which para. is now spent), is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

In the London Passenger Act, 1933 (so far as not repealed by this Act), for references to the London Passenger Transport Bureau there shall be substituted references to the London Board.]

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F2

**Textual Amendments**

F2 Entry relating to [Public Health \(London\) Act 1936 \(c. 50\)](#) repealed by [S.I. 1966/1305, art. 2 Sch. 1](#)

**Textual Amendments**

F2 Entry relating to [Public Health \(London\) Act 1936 \(c. 50\)](#) repealed by [S.I. 1966/1305, art. 2 Sch. 1](#)

F3

**Textual Amendments**

F3 Entry relating to [Criminal Justice Act 1950 \(c. 58\)](#) repealed by [Theft Act 1968 \(c. 60\), s. 33\(3\), Sch. 3 Pt. IV](#)

**Textual Amendments**

F3 Entry relating to [Criminal Justice Act 1950 \(c. 58\)](#) repealed by [Theft Act 1968 \(c. 60\), s. 33\(3\), Sch. 3 Pt. IV](#)

*The Coast Protection Act, 1949*

*12, 13 & 14 Geo. 6. c. 74*

- 1 (1) In paragraph (d) of subsection (2) and subsection (8) of section two, in paragraph (c) of subsection (6) of section three and in paragraphs 1 and 8 of the First Schedule (which relate to the appointment of coast protection boards and joint committees) for references to the Commission there shall be substituted references to the Railways Board and the British Waterways Board.
- (2) This paragraph shall not affect any order under the said section two, or any appointment made under either of those sections before the vesting date, but the power under an order under the said section two or under the said section three to appoint a person to take the place of a representative of the Commission shall be exercisable either by the Railways Board or the British Waterways Board, or both those Boards jointly, as those Boards may agree.
- 2 In paragraph (c) of the proviso to subsection (4) of section five and in paragraph (c) of the proviso to subsection (4) of section eight (which relate to objections to proposals to carry out coast protection work) for the reference to the Commission there shall be substituted a reference to any of the Boards.

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F6

**Textual Amendments**

- F4** Entry relating to the Diseases of Animals Act 1950 repealed by [Animal Health Act 1981 \(c. 22, SIF 4:4\)](#), s. 96(2), [Sch. 6](#)
- F5** Entry repealed by [Transport Act 1980 \(c. 34\)](#), [Sch. 9 Pt. I](#)
- F6** Entry amends [Post Office Act 1953 \(c. 36\)](#), s. 44(1)(b)

*The Transport Charges &c. (Miscellaneous Provisions) Act, 1954*

*2 & 3 Eliz. 2. c. 64*

Section 13(1)(Interpretation of Act).

In the definition of “independent” for the reference to the Commission there shall be substituted a reference to any of the Boards.

*[<sup>F7</sup> The Food and Drugs Act, 1955*

*4 Eliz. 2. c. 16*

**Textual Amendments**

- F7** Entry relating to the Food and Drugs Act 1955 repealed (E.W.) by [Food Act 1984 \(c. 30, SIF 53:1\)](#), s. 134, [Sch. 11](#)

Section 11(2)(Power to examine food in transit).

For the reference to the Commission and the Commission’s railway undertaking there shall be substituted a reference to any of the Boards and to any railway operated by that Board.]

*The Food and Drugs (Scotland) Act, 1956*

*4 & 5 Eliz. 2. c. 30*

Section 11(2)(Power to examine food in transit).

For the reference to the Commission and the Commission’s railway undertaking there shall be substituted a reference to any of the Boards and to any railway operated by that Board.

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#### Textual Amendments

- F8** Entry repealed by [Transport Act 1980 \(c. 34\)](#), **Sch. 9 Pt. I**
- F9** Entries repealed by [Transport \(London\) Act 1969 \(c. 35\)](#), **Sch. 6**
- F10** Entry relating to section 157 of the [Road Traffic Act 1960 \(c. 16\)](#) repealed by [Public Passenger Vehicles Act 1981 \(c. 14, SIF 107:1\)](#), **Sch. 8**
- F11** Entry repealed by [Transport Act 1968 \(c. 73\)](#), **Sch. 18 Pt. IV**
- F12** Entry repealed by [Theft Act \(Northern Ireland\) 1969 \(c. 16\)](#), **Sch. 3 Pt. II**

### F13 PART II

#### Textual Amendments

- F13** [Sch. 2 Pt. II](#) repealed (1.4.1994) by [1993 c. 43, s. 152\(3\)](#), **Sch.14**; S.I. 1994/571, **art. 5**.

### *The Railway Air Transport Act of 1929*

- .....
- 3 (1) In the Railway Air Transport Acts—
- (a) for references to the railway companies there mentioned there shall be substituted references to the Railways Board, and
- (b) for references to the railway systems of those companies there shall be substituted references to the Board’s railway system.
- (2) In this paragraph “the Railway Air Transport Acts of 1929” means the London and North Eastern Railway (Air Transport) Act 1929, the Southern Railway (Air Transport) Act 1929, the Great Western Railway (Air Transport) Act 1929, and the London Midland and Scottish Railway (Air Transport) Act 1929.

### PART III

#### OTHER FUNCTIONS UNDER LOCAL ENACTMENTS

#### Modifications etc. (not altering text)

- C3** [Pt. III](#) extended by [Transport Act 1968 \(c. 73\)](#), **Sch. 16 para. 7**
- C4** [Sch. 2 Pt. III](#) amended (E.W.) by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#) s. 67(2), [Sch. 4 para. 1\(1\)\(2\)\(b\), 6\(2\)\(b\)\(3\)\(5\)](#)

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*[<sup>F14</sup>The London Passenger Transport Acts of 1934 to 1947]*

**Textual Amendments**

- F14** Entry relating to the London Passenger Transport Acts of 1934 to 1947 is expressed to be repealed (E.W.) in Pt. II of Sch. 2, by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), s. 71(3)(b), Sch. 7 [*Editorial Note: there is no such entry in Pt. II of Sch. 2 but there is such an entry in Pt. III of Sch. 2*]

[<sup>F14</sup>In the local Acts cited as the London Passenger Transport Acts, 1933 to 1947, for references to the London Passenger Transport Board there shall be substituted references to the London Board.]

*The British Transport Commission Act 1949*

*12 & 13 Geo. 6. c. xxix*

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Section 54(Powers of search and arrest on Commission’s property).	For references to the Commission there shall be substituted references to any of the Boards and the Hotel Company.
Section 55(Trespass on railways).	For references to the Commission there shall be substituted references to any of the Boards.
Section 56(Stone throwing on railways).	For references to the Commission there shall be substituted references to any of the Boards.
Section 57(Rights of way over Commission’s property).	For references to the Commission there shall be substituted references to any of the Boards.
Section 59(Rights of pre-emption under Lands Clauses Acts).	For references to the Commission there shall be substituted references to any of the Boards.

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*The British Transport Commission Order Confirmation Act 1953*

*1 & 2 Eliz. 2. c. xx*

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Section 18 in the Schedule (Service of notices to treat).	For references to the Commission there shall be substituted references to any of the Boards.
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*The British Transport Commission Act 1953*

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*1 & 2 Eliz. 2. c. xlii*

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Section 52(Service of notices to treat).	For references to the Commission there shall be substituted references to any of the Boards.
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*The British Transport Commission Act 1954*

*2 & 3 Eliz. 2. c. lv*

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Section 24(Private street expenses).	For references to the Commission there shall be substituted references to any of the Boards.
Section 40(Barriers at level-crossings).	For references to the Commission there shall be substituted references to any of the following, that is to say, the Railways Board, the London Board and the Docks Board.

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*The British Transport Commission Act 1957*

*5 & 6 Eliz. 2. c. xxxiii*

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Section 66(Special safety arrangements at level crossings).	For references to the Commission there shall be substituted references to any of the following, that is to say, the Railways Board, the London Board and the Docks Board.
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*The British Transport Commission Act 1958*

*6 & 7 Eliz. 2. c. xlv*

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Section 19(Raising of stranded or abandoned vessels).	For references to the Commission there shall be substituted references to the British Waterways Board and, as regards the Lower Ouse Improvement, the Docks Board.
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*The British Transport Commission Order Confirmation Act 1959*

*7 & 8 Eliz. 2. c. xxxvi*

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Section 15 in the Schedule (Execution of deeds).	For references to the Commission there shall be substituted references to any of the Boards.
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### *The British Transport Commission Act 1959*

*7 & 8 Eliz. 2. c. xliv*

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Section 26(Powers as regards canal basins).	For references to the Commission there shall be substituted references to the British Waterways Board.
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### *The British Transport Commission Act 1961*

*9 & 10 Eliz. 2. c. xxxvi*

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Section 26(Traffic offences on dock roads).	For references to the Commission there shall be substituted references to any of the following, that is to say, the Railways Board, the Docks Board and the British Waterways Board.
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## **PART IV**

### **THE RAILWAYS CLAUSES ACTS**

#### **Modifications etc. (not altering text)**

**C5** Sch. 2 Pt. IV amended (E.W.) by [London Regional Transport Act 1984 \(c. 32, SIF 126\)](#), s. 67(2), [Sch. 4 para. 6\(2\)\(c\)\(5\)](#)

The following enactments in the <sup>M5</sup>Railways Clauses Consolidation Act 1845, and the <sup>M6</sup>Railways Clauses Consolidation (Scotland) Act 1845, shall apply to all the railways of each of the Boards and shall so apply as if references in those enactments to the company were references to those Boards respectively.

#### **Marginal Citations**

**M5** 1845 c. 20.

**M6** 1845 c. 33.

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<i>Subject matter</i>	<i>Section of Railways Clauses Consolidation Act 1845</i>	<i>Section of Railways Clauses Consolidation (Scotland) Act 1845</i>
Lien for non-payment of tolls	97	90
Passengers avoiding payment of fares	103 and 104	96 and 97
Carriage of dangerous goods	105	98

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Defacement of notice boards	144	1 36
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#### **Textual Amendments**

**F15** [Sch. 2 Pt. IV](#): entry relating to s. 152 of the Railway Clauses Consolidation Act 1845 and s. 144 of the Railway Clauses Consolidation (Scotland) Act 1845 repealed (5.11.1993) by [1993 c. 50, s. 1\(1\)](#), [Sch. 1 Pt. XIV](#) Group 1.



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