



# Transport Act 1962

1962 CHAPTER 46 10 and 11 Eliz 2

## PART IV

### MISCELLANEOUS AND GENERAL

#### *Miscellaneous provisions*

#### **83 Abandonment of independent railways.**

- [<sup>F1</sup>(1) The minister may make an abandonment order in respect of any railway comprised in an independent railway undertaking if an application is made to him for that purpose by the undertakers in question or by any creditor of those undertakers.]
- [<sup>F1</sup>(2) Notice of any application under this section shall be published by the applicant in such manner and form as the Minister may direct, and the Minister shall before making an order under this section consider any objections which have been lodged in respect to the application.]
- [<sup>F1</sup>(3) An order under this section shall have effect to release the undertakers from any statutory obligation to construct, maintain or operate the railway which is the subject of the order, and the order may contain provisions for abrogating, on such terms as to compensation or otherwise as the Minister may think just, any obligations (whether statutory or otherwise) to provide or maintain works, services or facilities in connection with the railway.]
- [<sup>F1</sup>(4) An order under this section may contain such consequential and supplementary provisions, including provisions for the assessment of compensation, as the Minister may think fit, and notice of the order shall be published in such a manner and form as the Minister may direct.]
- [<sup>F1</sup>(5) Where an application is made under this section by a creditor, the undertakers in question shall furnish the Minister with all such information, and permit such inspection of their railways, as the Minister may reasonably require for the purposes of the application, and any person who fails to comply with a requirement under this

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*Changes to legislation: There are currently no known outstanding effects for the Transport Act 1962, Section 83. (See end of Document for details)*

subsection shall be liable on summary conviction to a fine not exceeding [<sup>F2</sup>level 1 on the standard scale]]

<sup>F3</sup>(6) .....

(7) In this section “independent railway undertaking” means a railway undertaking carried on in Great Britain and not forming part of the undertaking of the Commission or of any of the Boards, being an undertaking the carrying on of which is authorised by, or by an order made under, an Act of Parliament.

#### Textual Amendments

- F1** S. 83(1)-(5) repealed (E.W.) (1.1.1993) by Transport and Works Act 1992 (c. 42), s. 68(1), **Sch. 4 Pt. I**; S.I. 1992/2784, art. 2, **Sch. 2 Pt.II** (with art. 3(2)).
- F2** Words substituted by (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46** and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F, 289G**.
- F3** S. 83(6) repealed (1.1.1993) by Transport and Works Act 1992 (c. 42), s. 68(1), **Sch. 4 Pt. I**; S.I. 1992/2784, art. 2, **Sch. 2 Pt.I**

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

- C1** S. 83(7) amended (E.W.) by London Regional Transport Act 1984 (c. 32, SIF 126), s. 67(2), **Sch. 4 para. 6(2)(a)(5)**

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