



Ministry of Transport Act 1919

1919 CHAPTER 50

9 Power to establish transport services

- (1) It shall be lawful for the Minister to establish, and either by himself or through any other person to work, transport services by land or water, and to acquire either by agreement or compulsorily such land or easements, to construct such works, and to do all such other things, as may be necessary for the purpose:

Provided that—

- (i) no new transport service shall be established by the Minister until an estimate of the capital expenditure required to complete it, accompanied by details of the scheme for the establishment of the service, has been approved by the Treasury ;
- (ii) if in the case of any such service such estimate as aforesaid exceeds half a million pounds, or if the establishment of any such service involves the acquisition of land or easements compulsorily, or the breaking up of any roads, the Minister shall not exercise his powers of establishing the service unless authorised to do so by Order in Council a draft whereof has been approved by a resolution passed by both Houses of Parliament, and the Order may incorporate the provisions of the Lands Clauses Acts, subject to such modifications as may be specified in the Order, being modifications of those Acts made or authorised to be made by the Development and Road Improvements Funds Act, 1909, or any other enactment, and the Order may also incorporate or apply any enactments relating to the construction and maintenance of the works in question ;
- (iii) where it appears to the Minister that the establishment of any such service could properly be undertaken by the owners of any existing undertaking, the Minister shall not himself establish the service without first giving to such owners an opportunity of establishing the service, and, where such an opportunity is given to the owners of an undertaking of which possession has been retained or taken under section three of this Act, and those owners prefer that the establishment of the service should be undertaken by themselves rather than by the Minister, they may require the Minister to give them directions under that section to that effect, but shall not be deemed to have thereby concurred in those directions : and

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- (iv) the Minister shall not, after two years from the passing of this Act unless Parliament otherwise determines, commence the construction of any new works, or provide equipment for any transport service not established before that date.
- (2) The Minister or other person working a service established under this section may charge such rates, fares, tolls, and charges in connexion therewith as may be prescribed by the Minister, subject to reference to the Advisory Committee on Rates hereinafter established, and the expenses of working such services shall be paid out of the revenues derived therefrom, and the Minister shall keep or cause to be kept such accounts of the receipts from and expenditure on the services and in such form, and those accounts shall be audited in such manner as the Treasury may prescribe.