



# Commissioners Clauses Act 1847

1847 CHAPTER 16 10 and 11 Vict

## *Recovery of damages and penalties*

And with respect to the recovery of damages not specially provided for, and of penalties, and to the determination of any other matter referred to justices or to the sheriff, be it enacted as follows:

**104 Railways Clauses Consolidation Acts 1845, as to damages, &c. to be incorporated with this and the special Act.**

If the undertaking be situate in England or Ireland, the clauses of the <sup>M1</sup>Railways Clauses Consolidation Act 1845, with respect to the recovery of damages not specially provided for, and of penalties, and to the determination of any other matter referred to justices, shall be incorporated with this and the special Act; and if the undertaking be situate in Scotland, the clauses of the <sup>M2</sup>Railways Clauses Consolidation Act (Scotland), 1845, with respect to the recovery of damages not specially provided for, and to the determination of any other matter referred to the sheriff or to justices, shall be incorporated with this and the special Act; and such clauses shall apply to the undertaking and to the commissioners respectively, and shall be construed as if the word “commissioners” had been inserted therein instead of the word “company.”

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

- C1 [S. 104](#) incorporated (18.6.2001) by [S.I. 2001/2184](#), [art. 2](#)  
[S. 104](#) incorporated (18.6.2001) by [S.I. 2001/2185](#), [art. 2](#)
- C2 [S. 104](#) incorporated (with modifications) (E.W.S.) (29.12.2007) by [Maryport Harbour Revision Order 2007 \(S.I. 2007/3463\)](#), [arts. 1\(1\), 3\(3\), 3\(4\)](#) (with [arts. 78, 80, 81](#))

**Marginal Citations**

- M1 [1845 c. 20.](#)
- M2 [1845 c. 33.](#)

*Status: Point in time view as at 29/12/2007.*

*Changes to legislation: There are currently no known outstanding effects for the Commissioners Clauses Act 1847, Cross Heading: Recovery of damages and penalties. (See end of Document for details)*

**Textual Amendments**

**F1** S. 105 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group 1

**F2** **106** .....

**Textual Amendments**

**F2** S. 106 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. XIV** Group 1

**107** ..... **F3**

**Textual Amendments**

**F3** S. 107 repealed by **Statute Law Revision Act 1875** (c. 66)

**108** ..... **F4**

**Textual Amendments**

**F4** S. 108 repealed (E.W.S.) by (E.W.) **Perjury Act 1911** (c. 6), **Sch.** and (S.) **False Oaths (Scotland) Act 1933** (c. 20), **Sch.**

**109 Nothing in this or the special Act to affect the rights of the crown.**

And be it enacted that nothing in this or the special Act shall be deemed to extend to or affect any Act of Parliament relating to her Majesty’s duties of customs or excise, or any other revenue of the crown, or to extend to or affect any claim of her Majesty in right of her crown, or otherwise howsoever, or any proceedings at law or in equity by or on behalf of her Majesty, in any part of the United Kingdom of Great Britain and Ireland.

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

- C3** S. 109 incorporated (E.W.S) (18.6.2001) by **S.I. 2001/2184, art. 2**  
S. 109 incorporated (E.W.S) (18.6.2001) by **S.I. 2001/2185, art. 2**  
Ss. 109-111 incorporated (with modifications) (7.1.2003) by **2002 c. v, s. 3(3)(4)** (with s. 23)
- C4** Ss. 109-111 incorporated (with modifications) (E.W.S.) (29.12.2007) by **Maryport Harbour Revision Order 2007** (S.I. 2007/3463), arts. 1(1), **3(3)**, 3(4) (with arts. 78, 80, 81)

**Status:**

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**Changes to legislation:**

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