



Railways Clauses Act 1863

1863 CHAPTER 92 26 and 27 Vict

PART I

CONSTRUCTION OF A RAILWAY

Alteration of Engineering Works

4 Power to alter engineering works.

Notwithstanding anything in the said Railways Clauses Consolidation Acts, respectively contained, the company, in the construction of the railway may deviate from the line or level of any arch, tunnel or viaduct, described on the deposited plans or sections, so as the deviation be made within the limits of deviation shown on those plans, and subject to the limitations contained in sections eleven, twelve, and fifteen of those Acts respectively, and so as the nature of the work described be not altered, and may also substitute any engineering work not shown on the deposited plans or sections, for an arch, tunnel, or viaduct, as shown thereon; provided, that every such substitution be authorized by a certificate of the Board of Trade; and the Board of Trade may grant such certificate in case it appears to them, on due inquiry, that the company has acted in the matter with good faith, and that the owners, lessees, and occupiers of the lands in which the substitution is intended to be made consent thereto, and also that the safety and convenience of the public will not be diminished thereby. Provided, that nothing in the present section shall affect any power given to the company or to the Board of Trade by section eleven, twelve, fourteen, or fifteen of the last-mentioned Acts respectively.

Modifications etc. (not altering text)

- C1** Functions of Board of Trade 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** [Ss. 3-5, 12](#) incorporated (with modifications) (29.4.1992) by [S.I. 1992/1113, art. 3\(1\)](#).
[S. 4](#) incorporated (with modifications) (27.7.1993) by [1993 c. xv, s.3](#)

Changes to legislation: There are currently no known outstanding effects for the Railways Clauses Act 1863, Section 4. (See end of Document for details)

- C3** S. 4 incorporated (with modifications) (21.7.1994) by 1994 c. xi, **s. 3(1)(2)(c)** (with s. 39)
S. 4 incorporated (with modifications) (21.7.1994) by 1994 c. xv, **s. 3(1)(2)(d)**
- C4** S. 4 incorporated (with modifications) (23.2.2017) by High Speed Rail (London - West Midlands) Act 2017 (c. 7), s. 70(1), **Sch. 29 para. 5**

Changes to legislation:

There are currently no known outstanding effects for the Railways Clauses Act 1863, Section 4.