



# Regulation of Railways Act 1868

1868 CHAPTER 119 31 and 32 Vict

*III.—Provisions for Safety of Passengers*

[<sup>F1</sup>22 **Communication between passengers and the company's servants.** **U.K.**

Every company shall provide, and maintain in good working order, in every train worked by it which carries passengers, and travels more than twenty miles without stopping, such efficient means of communication between the passengers and the servants of the company in charge of the train as the Board of Trade may approve. If any company makes default in complying with this section, it shall be liable to a penalty not exceeding [<sup>F2</sup>level 1 on the standard scale] for each case of default. Any passenger who makes use of the said means of communication without reasonable and sufficient cause shall be liable for each offence to a penalty not exceeding [<sup>F2</sup>level 1 on the standard scale][<sup>F3</sup>[<sup>F4</sup>level 2 on the standard scale]].]

#### Textual Amendments

- F1** S. 22 repealed (E.W.S.) (10.5.1997) by S.I. 1997/553, 12(1), Sch. Pt. I
- F2** Words substituted (E.W.S.) by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46 and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), s. 289G
- F3** “£50” substituted for “£25” in relation to (a) British Railways Board by [British Railways Act 1977 \(c. xvii\)](#), s. 13, [Sch. 1](#) and (b) London Transport Executive by [London Transport Act 1977 \(c. xii\)](#), [Sch. 1](#)
- F4** Words substituted (E.W.S.) by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46 and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), s. 289G

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

- C1** S. 22 the expression “company” extended by [Channel Tunnel Act 1987 \(c. 53, SIF 102\)](#), ss. 43, 45, [Sch. 6 para. 3](#), [Sch. 7 Pt. VI para. 2](#)
- C2** S. 22 modified by [Channel Tunnel Act 1987 \(c. 53, SIF 102\)](#), ss. 43, 45, [Sch. 6 para. 4\(1\)](#), [Sch. 7 Pt. VI para. 2](#)  
S. 22 modified (E.W.S.) (22.6.1993) by S.I. 1993/1607, [art. 3\(4\)](#)  
S. 22 modified (E.W.S.) (29.6.1993) by S.I. 1993/1651, [art. 3\(3\)](#)  
S. 22 modified (E.W.S.) (1.9.1993) by S.I. 1993/2154, [art. 3\(3\)](#)
- C3** S. 22 applied (with modifications) (E.W.S.) (29.1.1991) by S.I. 1991/134, [art. 3\(2\)\(3\)](#)

*Changes to legislation: There are currently no known outstanding effects for the Regulation of Railways Act 1868, Cross Heading: III.—Provisions for Safety of Passengers. (See end of Document for details)*

- S. 22 applied (with modifications) (E.W.S.) (28.3.1991) by S.I. 1991/933, **art. 3(2)(3)**
- S. 22 applied (with modifications) (E.W.S.) (25.4.1991) by S.I. 1991/1111, **art. 3(2)(3)**
- S. 22 applied (with modifications) (E.W.S.) (4.5.1991) by S.I. 1991/1162, **art. 3(2)(3)**
- S. 22 applied (with modifications) (E.W.S.) (26.6.1991) by S.I. 1991/1619, **art. 3(2)(3)**
- S. 22 applied (with modifications) (E.W.S.) (30.8.1991) by S.I. 1991/1965, **art. 5(2)(3)**
- S. 22 applied (with modifications) (E.W.S.) (28.9.1991) by S.I. 1991/2194, **art. 3(3)(4)**
- S. 22 applied (with modifications) (E.W.S.) (28.9.1991) by S.I. 1991/2210, **art. 3(2)(3)**
- S. 22 applied (with modifications) (E.W.S.) (26.11.1991) by S.I. 1991/2682, **art. 3(3)(4)**
- S. 22 applied (with modifications) (E.W.S.) (6.12.1991) by S.I. 1991/2812, **art. 3(3)(4)**
- S. 22 applied (with modifications) (E.W.S.) (29.4.1992) by S.I. 1992/1113, **art. 3(3)(4)**.
- S. 22 applied (with modifications) (E.W.S.) (21.5.1992) by S.I. 1992/1267, **art. 4(2)(3)**.
- S. 22 applied (with modifications) (E.W.S.) (26.3.1993) by S.I. 1993/1083, **art. 3(4)**
- S. 22 applied (with modifications) (E.W.S.) (2.9.1993) by S.I. 1993/2153, **art. 3(2)(3)**
- C4** S. 22 excluded (E.W.S.) by **Light Railways Act 1896** (c. 48), s. 12, **Sch. 2**
- C5** S. 22 amended (E.W.S.) (2.2.1994) by 1993 c. 43, **ss. 117(1)(6)**, 150(1)(e); S.I. 1994/202, **art. 2** (with S.I. 1990/1380, **arts. 3, 4**).
- S. 22: power to repeal or modify conferred (E.W.S.) (2.2.1994) by 1993 c. 43, **ss. 117(4)(c)(6)**, 150(1)(e); S.I. 1994/202, **art. 2**
- C6** s. 22 incorporated (with modifications) (4.3.1994) by S.I. 1994/691, **art. 3(1)(2)**;
- S. 22 applied (with modification) (14.5.1994) by S.I. 1994/1331, **art. 3(3)(4)**;
- S. 22 applied (with modification) (26.7.1994) by S.I. 1993/1803, **art. 3(2)**;
- S. 22 excluded (21.7.1994) by 1994 c. xi, **s. 3(3)**;
- S. 22 excluded (21.7.1994) by 1994 c. xv, **s. 3(4)**;
- S. 22 applied (4.5.1995) by S.I. 1995/1236, **art. 3(3)**;
- S. 22 modified (4.5.1995) by S.I. 1995/1236, **art. 3(4)**;
- S. 22 modified (10.5.1995) by S.I. 1995/1300, **art. 3(3)**;
- S. 22 incorporated (with modifications) (29.7.1995) by S.I. 1995/2142, **art. 3(1)(2)**;
- S. 22 applied (with modifications) (29.7.1995) by S.I. 1995/2143, **art. 3(4)**;
- S. 22 applied (with modifications) (9.10.1995) by S.I. 1995/2458, **arts. 3, 7(7)**;
- S. 22 modified (18.12.1996) by 1996 c. 61, s. 20, **Sch. 9**, Pt. II para. 8(1);
- S. 22 applied (with modifications) (4.5.1996) by S.I. 1996/1267, **art. 3(3)(4)**;
- S. 22 applied (with modifications) (1.10.1996) by S.I. 1996/2660, **art. 4(5)(6)**;
- S. 22 applied (with modifications) (22.1.1997) by S.I. 1997/102, **art. 3(2)(3)**;
- S. 22 incorporated (with modifications) (29.7.1997) by S.I. 1997/1688, **art. 3(4)**
- S. 22 power to repeal or modify conferred (N.I.) (14.10.2002) by 2002 c. 8 (N.I.), **s. 1(4)(c)**

## 23 Penalty for trespasses on railways. **U.K.**

If any person shall be or pass upon any railway, except for the purpose of crossing the same at any authorized crossing, [<sup>F5</sup>after having once received warning] by the company which works such railway, or by any of their agents or servants, not to go or pass thereon, every person so offending shall forfeit and pay any sum not exceeding [<sup>F6</sup>level 1 on the standard scale] for every such offence.

### Textual Amendments

- F5** Words substituted by **Regulations of Railways Act 1871** (c. 78), **s. 14**
- F6** Words substituted (E.W.S.) by virtue of (E.W.) **Criminal Justice Act 1982** (c. 48, SIF 39:1), **s. 46** and (S.) **Criminal Procedure (Scotland) Act 1975** (c. 21, SIF 39:1), **s. 289G**

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation of Railways Act 1868, Cross Heading: III.—Provisions for Safety of Passengers. (See end of Document for details)

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**24 Trees dangerous to railways may be removed. U.K.**

If any tree standing near to a railway shall be in danger of falling on the railway so as to obstruct the traffic, it shall be lawful for any two justices, on the complaint of the company which works such railway, to cause such tree to be removed or otherwise dealt with as such justices may order, and the justices making such order may award compensation to be paid by the company making such complaint to the owner of the tree so ordered to be removed or otherwise dealt with as such justices shall think proper, and the amount of such compensation shall be recoverable in like manner as compensation recoverable before justices under the <sup>M1</sup>Railways Clauses Consolidation Act 1845.

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**Marginal Citations**

**M1** 1845 c. 20.

**Changes to legislation:**

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