



Railway and Canal Traffic Act 1888

1888 CHAPTER 25 51 and 52 Vict

PART III

CANALS

40 Byelaws of canal companies.

- (1) Every canal company shall, before such date as the Board of Trade may prescribe, forward to the Board of Trade true copies, certified in such manner as the Board of Trade direct, of any byelaws or regulations of such company which are in force at the commencement of this Act; and the byelaws of any canal company, copies of which are not forwarded to the Board of Trade as provided by this section, shall from and after the said date cease to have any operation . . . ^{F1}
- (2) A byelaw or regulation of any canal company hereafter to be made under any power which has been, or which may hereafter be, conferred on any canal company, shall not have any force or effect until two months after a true copy of such byelaw or regulation, certified in such manner as the Board of Trade direct, has been forwarded to the Board of Trade, unless the Board of Trade before expiration of such period have signified their approbation thereof.
- (3) The Board of Trade may, at any time after any existing or future byelaws or regulations of a canal company have been forwarded to them, notify to the company their disallowance thereof, or of any of them, and in case such byelaws or regulations are in force at the time of the disallowance, the time at which the said byelaws or regulations shall cease to be in force. A byelaw or regulation disallowed by the Board of Trade shall not after such disallowance have any force or effect whatever, save (as regards any byelaw or regulation which may be in force at the time of the disallowance thereof) in so far as any penalty may have been already incurred under the same.
- (4) The Board of Trade may from time to time make, rescind, and vary such regulations as they think fit with respect to the publication by canal companies of their byelaws and regulations, and with respect to the publication by canal companies of their intention to apply to the Board of Trade for the allowance of any intended byelaws and regulations. . . . ^{F2}

Changes to legislation: There are currently no known outstanding effects for the Railway and Canal Traffic Act 1888, Section 40. (See end of Document for details)

Textual Amendments

F1 Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

F2 Words repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), **Sch. 1 Pt. XII**

Modifications etc. (not altering text)

C1 [S. 40](#) excluded by [Petroleum Consolidation Act 1928 \(c. 32\)](#), **s. 9(4)** and [Transport Act 1968 \(c. 73\)](#), **s. 113(6)**

Changes to legislation:

There are currently no known outstanding effects for the Railway and Canal Traffic Act 1888, Section 40.