



# Railways Clauses Consolidation Act 1845

## 1845 CHAPTER 20 8 and 9 Vict

### <sup>X1</sup>*Working of mines*

#### 84 Penalty for refusal to allow inspection.

- (1) If any mine owner refuses to allow any person appointed by the company for that purpose to enter into and inspect any such mines or works or to inspect and take copies of such plans and sections in manner aforesaid, every person so offending shall, for every such refusal, become liable to pay . . . <sup>F1</sup> a sum not exceeding [<sup>F2</sup>£50][<sup>F2</sup>level 2 on the standard scale.]
- (2) If the company refuse to allow a mine owner or royalty owner or such duly authorised person as aforesaid to enter upon or inspect any railway or works or to take levels and particulars thereof in manner aforesaid, the company so offending shall, for every such refusal, become liable to pay to the mine owner or royalty owner a sum not exceeding [<sup>F3</sup>level 2 on the standard scale.]

#### Textual Amendments

- F1** Words repealed by [Justices of the Peace Act 1949 \(c. 101\)](#), [Sch. 7 Pt. III](#)
- F2** Words substituted (E.W.) by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)\(6\)](#) and so substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)
- F3** For “£50” there is substituted (E.W.) “level 2 on the standard scale” by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

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

- C1** Power to incorporate s. 77 and ss. 78–85 as originally enacted, conferred by [New Towns Act 1981 \(c. 64, SIF 123:3\)](#), [s. 14\(3\)\(4\)](#) (ss. 77-85 as originally enacted are set out following s. 85E below)
- C2** S. 84 incorporated (29.1.1991) by [S.I. 1991/134](#), [art. 3\(1\)](#)
- S. 84: Ss. 78-85 applied (with modifications) (28.3.1991) by [S.I.1991/933](#), [art.3\(4\)](#)
- S. 84 incorporated (25.4.1991) by [S.I. 1991/1111](#), [art. 3\(1\)](#)
- S. 84 incorporated (31.8.1991) by [S.I. 1991/1965](#), [art. 5\(1\)](#)
- S. 84 incorporated (28.9.1991) by [S.I. 1991/2210](#), [art. 3\(1\)](#)
- Ss. 78-85E incorporated (with modifications) (29.6.1995) by [S.I. 1995/2143](#), [arts. 3\(1\)](#), 13(7)

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*Changes to legislation: There are currently no known outstanding effects for the Railways Clauses Consolidation Act 1845, Section 84. (See end of Document for details)*

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- Ss. 78-85E incorporated (with modifications) (4.5.1996) by S.I. 1996/1267, **art. 3(1)(2)**
- Ss. 78-85E incorporated (with modifications) (16.10.1996) by S.I. 1996/2660, **art. 4(1)(3)**
- Ss. 78-85E incorporated (with modifications) (11.11.1996) by S.I. 1996/2714, **art. 3(1)(2)**
- Ss. 77-85E incorporated (2.11.1996) by S.I. 1996/2867, **art. 3(1)**
- Ss. 77-85E incorporated (with modifications) (22.1.1997) by S.I. 1997/102, **arts. 3(1), 12(10)**
- Ss. 78-85E incorporated (with modifications) (10.2.1997) by S.I. 1997/264, **art. 3(1)(3)**
- Ss. 78-85E applied (10.2.1997) by S.I. 1997/264, **art. 7(3)**
- Ss. 78-85E incorporated (with modifications) (21.5.1997) by S.I. 1997/1266, **art. 3(1)(2)**
- Ss. 78-85E incorporated (with modifications) (29.7.1997) by S.I. 1997/1688, **arts. 3(1)(2), 13(7)**
- Ss. 78-85E incorporated (with modifications) (9.10.1997) by S.I. 1997/2534, **art. 3(1)(3)**
- Ss. 78-85E incorporated (with modifications) (27.8.1998) by S.I. 1998/1936, **art. 3(1)(2)**
- Ss. 78-85E incorporated (with modifications) (13.1.1999) by S.I. 1998/3269, **art. 3(1)(2)**
- Ss. 78-85E incorporated (with modifications) (21.7.1999) by S.I. 1999/2129, **art. 3(1)(2)**
- Ss. 78-85E incorporated (with modifications) (20.8.1999) by S.I. 1999/2336, **art. 3(1)(2)**
- Ss. 78-85E incorporated (with modifications) (4.8.2000) by S.I. 2000/2585, **art. 3(1)(2)**
- Ss. 78-85E incorporated (with modifications) (18.7.2001) by S.I. 2001/2870, **art. 3(1)(2)**
- Ss. 78-85E incorporated (with modifications) (9.11.2001) by S.I. 2001/3682, **art. 3(1)(3)**
- Ss. 78-85E incorporated (with modifications) (12.2.2002) by S.I. 2002/366, **art. 3(1)** (with Sch. 2)
- Ss. 78-85E incorporated (with modifications) (30.4.2002) by S.I. 2002/1065, **art. 3(1)**
- Ss. 78-85E incorporated (28.4.2003) by Network Rail (West Coast Main Line) Order 2003 (S.I. 2003/1075), **arts. 1, 3(1)** (with art. 40)
- Ss. 78-85E incorporated (12.1.2004) by The Alconbury Airfield (Rail Facilities and Connection to East Coast Main Line) Order 2003 (S.I. 2003/3364), **arts. 1, 3(1)**
- Ss. 78-85E incorporated (with modifications) (4.3.2004) by The Network Rail (West Coast Main Line) Order 2004 (S.I. 2004/389), **arts. 1, 3(1)(2)** (with art. 38)
- Ss. 78-85E incorporated (4.5.2005) by The Telford Railfreight Terminal (Donnington) Order 2005 (S.I. 2005/1163), **arts. 1, 3(1)**
- Ss. 78-85E incorporated (with modifications) (3.7.2006) by Port of Blyth (Battleship Wharf Railway) Order 2006 (S.I. 2006/1518), **arts. 1, 3(1)(3)**
- Ss. 78-85E incorporated (with modifications) (13.12.2006) by The Network Rail (Thameslink 2000) Order 2006 (S.I. 2006/3117), **arts. 1, 3(1)(2)** (with arts. 34, 35(2))
- Ss. 78-85E incorporated (with modifications) (28.9.2007) by London Gateway Logistics and Commercial Centre Order 2007 (S.I. 2007/2657), **arts. 1, 4(1)(2)** (with arts. 19, 28, Sch. 3 para. 13(2))
- Ss. 78-85E incorporated (16.5.2008) by London Gateway Port Harbour Empowerment Order 2008 (S.I. 2008/1261), **arts. 1, 7(1)** (with arts. 41(1), 45, 54(2), 55, 56, 57, 58(6))
- Ss. 78-85E incorporated (with modifications) (14.10.2008) by Felixstowe Branch Line and Ipswich Yard Improvement Order 2008 (S.I. 2008/2512), **arts. 1, 3(1)(3)** (with art. 36(3))
- C3** Ss. 78-85E incorporated (with modifications) (30.12.2009) by South Devon Railway Order 2009 (S.I. 2009/3281), **arts. 1, 3**
- C4** Ss. 78-85E incorporated (with modifications) (E.W.) (20.7.2010) by The Network Rail (Nuneaton North Chord) Order 2010 (S.I. 2010/1721), **arts. 1, 3(1)(3)**
- C5** Ss. 78-85E incorporated (with modifications) (E.W.) (21.4.2011) by The Network Rail (Hitchin (Cambridge Junction)) Order 2011 (S.I. 2011/1072), **arts. 1, 3**
- C6** Ss. 78-85E incorporated (with modifications) (E.W.) (13.11.2012) by The Chiltern Railways (Bicester to Oxford Improvements) Order 2012 (S.I. 2012/2679), **arts. 1, 3(1)(3)** (with art. 42(2))
- C7** Ss. 78-85E incorporated (E.W.) (21.8.2013) by The Croxley Rail Link Order 2013 (S.I. 2013/1967), **arts. 1, 3(1)** (with art. 3(3))
- C8** Ss. 78-85E incorporated (E.W.) (19.8.2014) by The Network Rail (Huyton) Order 2014 (S.I. 2014/2027), **arts. 1, 3(1)** (with art. 31(2))
- C9** Ss. 78-85E incorporated (with modifications) (E.W.) (12.1.2016) by The London Underground (Bank Station Capacity Upgrade) Order 2015 (S.I. 2015/2044), **arts. 1, 3(1)(3)**
- C10** Ss. 78-85E incorporated (with modifications) (E.W.) (19.12.2017) by The Network Rail (Buxton Sidings Extension) Order 2017 (S.I. 2017/1150), **arts. 1, 3(1)(3)** (with art. 32(2))

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**Changes to legislation:** *There are currently no known outstanding effects for the Railways Clauses Consolidation Act 1845, Section 84. (See end of Document for details)*

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- C11** Ss. 78-85E incorporated (with modifications) (E.W.) (18.4.2018) by The Network Rail (Hope Valley Capacity) Order 2018 (S.I. 2018/446), arts. 1, **3(1)(3)** (with arts. 24(8), 33(2))
- C12** Ss. 78-85E incorporated (E.W.) (3.11.2022) by The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022 (S.I. 2022/1067), arts. 1, **3(1)** (with art. 46(2), Sch. 19 para. 61)
- C13** Ss. 78-85E incorporated (E.W.) (11.1.2023) by The Network Rail (Cambridge South Infrastructure Enhancements) Order 2022 (S.I. 2022/1406), arts. 1, **3(1)** (with art. 34(2), Sch. 12 paras. 5, 47, 79)
- C14** Ss. 78-85E incorporated (with modifications) (E.W.) (25.4.2024) by The Network Rail (Church Fenton Level Crossing Reduction) Order 2024 (S.I. 2024/526), arts. 1, **3**

**Changes to legislation:**

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