

THE SCHEDULE

MEANING OF RAILWAY

1. “Railway” means a system of transport employing parallel rails which provide support and guidance for vehicles carried on flanged wheels and form a track which either is of a gauge of at least 350 millimetres or crosses a carriageway (whether or not on the same level), except that it does not include—

- (a) a tramway;
- (b) any part which runs along and at the same level as a street or in any other place to which the public has access (including a place to which the public has access only on making a payment);
- (c) any part where the permitted speed is such as to enable the driver to stop the train in the distance he can see ahead in clear weather conditions;
- (d) any part normally used other than for the carriage of fare paying passengers; or
- (e) such a system if on no part of it there is a line speed exceeding 25 miles per hour.