
STATUTORY INSTRUMENTS

2000 No. 2585

The Great Central Railway (East
Leake Branch, etc.) Order 2000

PART I
PRELIMINARY

Incorporation and application of enactments

- 3.—(1) The following provisions of the Act of 1845 shall be incorporated in this Order:—
- section 24 (obstructing construction of railway);
 - section 58 (company to repair roads used by them), except for the words from “and if any question” to the end;
 - section 68 (accommodation works by company);
 - section 71 (additional accommodation works by owners), except for the words “or directed by such justices to be made by the company” and “or, in case of difference, as shall be authorised by two justices”;
 - sections 72 and 73 (supplementary provisions relating to accommodation works);
 - section 75 (omission to fasten gates);
 - sections 78 to 85E and Schedules 1 to 3 (minerals under railways) as respectively substituted and inserted by section 15 of the Mines (Working Facilities and Support) Act 1923(1);
 - section 87 (company empowered to contract with other companies);
 - sections 103 and 104 (refusal to quit carriage at destination);
 - section 105 (carriage of dangerous goods on railway);
 - sections 115 to 119 (engines and carriages not to be used on the railway unless approved; unfit engines to be removed);
 - section 145 (recovery of penalties); and
 - section 154 (transient offenders).
- (2) In those provisions, as incorporated in this Order—
- “the company” means the undertaker;
 - “goods” includes any thing conveyed on the railways;
 - “lease” includes an agreement for a lease;
 - “prescribed”, in relation to any such provision, means prescribed by this Order for the purposes of that provision;
 - “the railway” means Railway No.3;

“the special Act” means this Order;

“toll” includes any rate or charge or other payment payable under this Order or any other enactment for any passenger or goods conveyed on the railway.

(3) In its application to the railway, section 24 of the Act of 1845 shall have effect as if the maximum fine which may be imposed on summary conviction of an offence under that section were, instead of a fine not exceeding level 2 on the standard scale, a fine not exceeding level 3 on the standard scale.

(4) Any enactment by which Railway No.1 or Railway No.2, or any railway or former railway situated within the limits of deviation, was authorised shall have effect subject to the provisions of this Order.