
STATUTORY INSTRUMENTS

2023 No. 815

The Rother Valley Railway (Bodiam
to Robertsbridge Junction) Order 2023

PART 1

PRELIMINARY

Incorporation of Railway Clauses Acts

- 3.—(1) (The following provisions of the 1845 Act are incorporated in this Order—
- section 58(1) (company to repair roads used by them), except for the words from “and if any question” to the end;
 - section 61 (company to make sufficient approaches and fences to highways crossing on the level);
 - 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);
 - section 77 (presumption that minerals excepted from acquisition of land);
 - sections 78 to 83 and 85 to 85E(2) and Schedules 1 to 3 (minerals under railways);
 - section 103(3) (refusal to quit carriage at destination);
 - section 105 (carriage of dangerous goods on railway), except for the words from “and if any person” to “for every such offence”; and
 - section 145(4) (recovery of penalties).
- (2) In those provisions, as incorporated in this Order—
- “the company” means the Company;
 - “goods” includes anything conveyed on the railway;
 - “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;

(1) There is one amendment to section 58 that is not relevant to this Order.
(2) Sections 78 to 83 and 85 to 85E were substituted by section 15 of the Mines (Working Facilities and Support) Act 1923 (c. 20).
(3) Section 103 was amended by the Statute Law Revision Act 1892 (c. 19), Part 3 of Schedule 7 to the Justices of the Peace Act 1949 (c. 101) and section 46 of the Criminal Justice Act 1892 (c. 48).
(4) Section 145 was amended by the Statute Law Revision Act 1892 and Part 2 of Schedule 12 to the Transport Act 1962 (c. 46).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“the railway” means the new railway authorised to be constructed by this Order, the existing railways and any other authorised work;

“the special Act” means this Order; and

“toll” includes any rate or charge or other payment payable under this Order or any other enactment for any passenger or goods conveyed on any railway authorised to be constructed by this Order.