



# Transport and Works Act 1992

## CHAPTER 42

### TRANSPORT AND WORKS ACT 1992

#### PART I

##### ORDERS AUTHORISING WORKS ETC

###### *Power to make orders*

- 1 Orders as to railways, tramways etc
- 2 Extension of section 1 to other guided transport systems
- 3 Orders as to inland waterways etc
- 4 Description of works for purposes of section 3
- 5 Subject-matter of orders under sections 1 and 3

###### *Procedure for making orders*

- 6 Applications for orders under sections 1 and 3
- 7 Orders under sections 1 and 3 made otherwise than on application
- 8 Model clauses
- 9 Schemes of national significance
- 10 Objections
- 11 Inquiries and hearings
- 12 Special parliamentary procedure
- 13 Making or refusal of orders under section 1 or 3
- 14 Publicity for making or refusal of orders

###### *Consents etc under other enactments*

- 15 Assimilation of procedures
- 16 Town and country planning
- 17 Listed buildings and conservation areas
- 18 Hazardous substances

- 19 Coast Protection Act 1949
- 20 Power to apply for, or object to, orders
- 21 Transport Consultative Committees

*Miscellaneous*

- 22 Validity of orders under section 1 or 3
- 23 Exercise of Secretary of State's functions by appointed person
- 24 Private legislation procedure in Scotland
- 25 Crown land

**PART II**

## SAFETY OF RAILWAYS ETC

**CHAPTER I**

## OFFENCES INVOLVING DRINK OR DRUGS

*Preliminary*

- 26 Transport systems to which Chapter I applies

*Principal offences*

- 27 Offences involving drink or drugs on transport systems
- 28 Offences by operators of transport systems

*Police powers etc*

- 29 Breath tests
- 30 Powers of arrest and entry
- 31 Provision of specimens for analysis
- 32 Choice of specimens of breath
- 33 Protection for hospital patients

*Evidence in proceedings for offences under section 27*

- 34 Use of specimens in proceedings
- 35 Documentary evidence as to specimens

*Penalties*

- 36 Penalties

*Miscellaneous and supplementary*

- 37 Special provision for Scotland
- 38 Interpretation of Chapter I
- 39 Amendment of scope of offences involving drink or drugs under Road Traffic Act 1988
- 40 Consequential amendment

**CHAPTER II**

## OTHER SAFETY PROVISIONS

*General*

- 41 Approval of works, plant and equipment
- 42 Inspectors
- 43 Accidents etc
- 44 Accidents etc: consequential amendments
- 45 Directions limiting speeds and loads
- 46 Directions requiring insurance

*Rail crossings*

- 47 Stopping up and diversion of crossings
- 48 Footpaths and bridleways over railways
- 49 Securing of gates and barriers
- 50 Orders under Transport Act 1968
- 51 Amendment of Level Crossings Act 1983.

*Signs and barriers at private crossings*

- 52 Placing of signs and barriers
- 53 Rights to enter land
- 54 Default powers of Secretary of State
- 55 Offence of failing to comply with sign
- 56 Interpretation of sections 52 to 55

**CHAPTER III**

SUPPLEMENTARY

- 57 Duty to consult
- 58 Prosecutions
- 59 Offences by bodies corporate etc

**PART III**

MISCELLANEOUS AND GENERAL

*Tramways*

- 60 Powers of leasing
- 61 Amendment of Public Passenger Vehicles Act 1981
- 62 Exclusion of hackney carriage legislation

*Harbours*

- 63 Harbours

*Miscellaneous*

- 64 Maintenance of footpaths and bridleways
- 65 Certain enactments to cease to have effect

*General*

- 66 Service of notices
- 67 Interpretation
- 68 Repeals

- 69 Expenses
- 70 Commencement
- 71 Extent
- 72 Short title

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## SCHEDULES

### SCHEDULE 1 — Matters within sections 1 and 3

- 1 The construction, alteration, repair, maintenance, demolition and removal of railways,...
- 2 The carrying out of any other civil engineering or other...
- 3 The acquisition of land, whether compulsorily or by agreement.
- 4 The creation and extinguishment of rights over land (including rights...
- 5 The abrogation and modification of agreements relating to land.
- 6 The conferring on persons providing transport services of rights to...
- 7 The protection of the property or interests of any person...
- 8 The imposition and exclusion of obligations or of liability in...
- 9 The making of agreements to secure the provision of police...
- 10 The carrying out of surveys and the taking of soil...
- 11 The payment of compensation.
- 12 The charging of tolls, fares (including penalty fares) and other...
- 13 The making of byelaws by any person and their enforcement,...
- 14 The payment of rates.
- 15 The transfer, leasing, discontinuance and revival of undertakings.
- 16 The submission of disputes to arbitration.
- 17 The imposition of requirements to obtain the consent of the...

### SCHEDULE 2 — Stopping up and diversion of rail crossings

- 1 The Highways Act 1980 shall be amended as follows.
- 2 (1) Section 118 (stopping up of footpaths and bridleways) shall...
- 3 After section 118 there shall be inserted— Stopping up of...
- 4 After section 119 (diversion of footpaths and bridleways) there shall...
- 5 (1) Section 120 (exercise of powers of making public path...
- 6 (1) Section 121 (supplementary provisions) shall be amended as follows....
- 7 In section 293 (powers of entry for purposes connected with...
- 8 In section 325 (provisions as to regulations, schemes and orders)...
- 9 In section 329(1) (interpretation) after the definition of “rack rent”...
- 10 (1) Schedule 6 shall be amended as follows.

### SCHEDULE 3 — Amendment of Harbours Act 1964

- 1 (1) Section 14 (harbour revision orders) shall be amended as...
- 2 (1) Section 16 (harbour empowerment orders) shall be amended as...
- 3 In section 17 (procedure for making harbour revision and empowerment...
- 4 In section 18 (harbour reorganisation schemes) in subsection (3), for...
- 5 (1) Section 47 (provisions as to inquiries and hearings) shall...
- 6 After section 48 (service of documents) there shall be inserted—...
- 7 (1) Section 57 (interpretation) shall be amended as follows.
- 8 Section 62 (saving for private Bills etc) shall be omitted....
- 9 (1) Schedule 2 (objects for whose achievement harbour revision orders...

10 (1) Schedule 3 (procedure for making harbour orders) shall be...

SCHEDULE 4 — Repeals

Part I — RAILWAYS AND TRAMWAYS

Part II — HARBOURS