



# British Railways (No. 2) Act 1992

## 1992 CHAPTER xi

### PART I

#### PRELIMINARY

#### 1 Short title

this act may be cited as the British Railways (No. 2) Act 1992.

#### 2 Interpretation

(1) In this Act, unless the context otherwise requires, words and expressions to which meanings are assigned by the enactments incorporated herewith have in relation to the related subject-matter the same respective meanings; and—

“the Act of 1845” means the Railways Clauses Consolidation Act 1845;

“the Act of 1965” means the Compulsory Purchase Act 1965;

“the Board” means the British Railways Board;

“enactment” includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“the existing railway” means the railway between Reading and Paddington;

“the limits of deviation” means the limits of deviation shown on the deposited plans;

“the tribunal” means the Lands Tribunal; and

“the works” means the works authorised by Part II (Works, etc.) of this Act.

(t) (a) Except as mentioned in paragraph (b) below, all directions, distances and lengths stated in any description of works, powers or lands shall be construed as if the words “or thereabouts” were inserted after each such direction, distance and length and distances between points on a railway shall be taken to be measured along the railway.

(b) This subsection shall not apply to the distances in the following provisions of this Act:—

(i) subsection (2) of section 6 (Dimensions of bridges at Langley); and

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(ii) subsection (1) of section 24 (Headway of bridge at Gainsborough).

- (3) Any reference in this Act to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Act.
- (4) References in this Act to points identified by letters shall be construed as references to the points so lettered on the deposited plans.
- (5) References in this Act to access to any place shall include reference to egress from that place.

### **3 Incorporation of general enactments**

- (1) The following enactments, so far as the same are applicable for the purposes of and are not inconsistent with this Act, are incorporated with this Act, and this Act shall be the special Act for the purposes of the said incorporated enactments:—
  - (a) the Act of 1845, except sections 1, 7, 8, 9, 11, 12, 15, 17, 19, 20, 22 and 23 thereof; and
  - (b) in the Railways Clauses Act 1863, Part I (relating to the construction of a railway), except sections 14 to 17 thereof and Part II (relating to extension of time).
- (2) (a) For the purposes of the enactments incorporated by subsection (1) above—
  - (i) the expression “the company” where used in those enactments means the Board;
  - (ii) Works Nos. 2A, 2B, 2C and 15 shall be deemed to be railways authorised by the special Act.
- (b) For the purposes of sections 16 and 30 to 44 of the Act of 1845, as incorporated by subsection (1) above, Works Nos. 13A and 14A shall be deemed to be railways authorised by the special Act.
- (c) Sections 18 and 21 of the Act of 1845, as incorporated by subsection (1) above, shall not extend to regulate the relations between the Board and any other person in respect of any matter or thing concerning which those relations are regulated in any respect—
  - (i) until the commencement of Part III of the New Roads and Street Works Act 1991, by the provisions of Part II of the Public Utilities Street Works Act 1950 or, on the commencement of Part III of the said Act of 1991, by the provisions of that Part of that Act; or
  - (ii) by section 39 (For protection of electricity, gas and water undertakers) of this Act.

### **4 Application of Part I of Compulsory Purchase Act 1965**

- (1) Part I of the Act of 1965 (except section 4 thereof and paragraph 3 (3) of Schedule 3 thereto), so far as it is applicable for the purposes of and is not inconsistent with this Act, shall apply to the compulsory purchase of land under this Act as it applies to a compulsory purchase to which the Acquisition of Land Act 1981 applies and as if this Act were a compulsory purchase order under the said Act of 1981.
- (2) In section 11(1) of the Act of 1965 (which empowers the acquiring authority to enter on and take possession of land the subject of a notice to treat after giving not less than 14 days' notice), as so applied, for the words “fourteen days” there shall be substituted “three months”.

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- (3) The Lands Clauses Consolidation Act 1845 shall not apply to the purchase of land under this Act.