



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.
- 6A Cases where ... Member States are affected
- 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 : general.
- 13A Environmental impact assessment: definitions
- 13B Application or proposal for an EIA order: reasoned conclusion
- 13C EIA orders: monitoring measures and remedial action
- 13D Application or proposal for an EIA order: time limit
- 14 Publicity for making or refusal of orders.
- 14A Compulsory acquisition: notice requirements

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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.
- 31A Specimens of blood taken from persons incapable of consenting
- 32 Breath specimen showing higher alcohol level to be disregarded
- 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.

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- 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, bridleways and restricted byways 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.

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General

- 66 Service of notices.
- 67 Interpretation.
- 68 Repeals.
- 69 Expenses.
- 70 Commencement.
- 71 Extent.
- 72 Short title.

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...

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- 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

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Changes and effects yet to be applied to :

- s. 67 defn(s). applied by [1999 c. 29 s. 163\(8\)](#)
- s. 67 defn(s). applied by [1999 c. 29 s. 207\(8\)](#)
- s. 67 defn(s). applied by [1999 c. 29 Sch. 17 para. 9\(11\)](#)
- Sch. 2 para. 5(2) repealed by [2000 c. 37 Sch. 16 Pt. 2](#)
- Sch. 2 para. 5(4)(a)(d)(e) repealed by [2000 c. 37 Sch. 16 Pt. 2](#)
- Sch. 2 para. 5(6)(7) repealed by [2000 c. 37 Sch. 16 Pt. 2](#)
- Sch. 2 para. 6(2)(b) repealed by [2000 c. 37 Sch. 16 Pt. 2](#)
- Sch. 2 para. 10(4)(a) repealed by [2000 c. 37 Sch. 16 Pt. 2](#)