



Railways Act 1921

1921 CHAPTER 55 11 and 12 Geo 5

PART V

LIGHT RAILWAYS

[^{F1}68 Amendment of procedure for making light railway orders.

(1) Orders under the ^{M1}Light Railways Act 1896, as amended by any subsequent enactment (which Act as so amended is in this Part of this Act referred to as “the principal act”) shall, instead of being made by the Light Railway Commissioners and confirmed by the Minister of Transport as successor to the Board of Trade in manner provided by the principal Act, be made by the Minister and accordingly—

- (a) the powers of the Light Railway Commissioners shall be transferred to the Minister;
- (b) the Minister on considering an application for an order shall take all such matters into consideration and do all such things as he, as successor of the Board of Trade, is under the principal Act required to take into consideration and do on submission of an order to him for confirmation;

and the principal Act shall have effect as if for references to the Light Railway Commissioners there were substituted references to the Minister, and for references to the confirmation of orders by the Minister, as successor to the Board of Trade, there was substituted references to the making of orders by the Minister:

.....^{F2}

(2) If the Minister is of opinion for any of the reasons mentioned in subsection (3) of section nine of the principal Act that the proposals of the promoters ought to be submitted to Parliament he may, if he thinks fit, make an order as a provisional order and submit the proposals to Parliament by bringing in a Bill for the confirmation of the order, and subsections (2) and (3) of section one of the ^{M2}Light Railways Act 1912, shall apply with respect to such Bill.

(3)^{F3}]

*Changes to legislation: There are currently no known outstanding effects
for the Railways Act 1921, Part V. (See end of Document for details)*

Textual Amendments

- F1** S. 68 repealed (E.W.) (1.1.1993) by [Transport and Works Act 1992 \(c. 42\)](#), s. 68(1), [Sch. 4 Pt. I](#); [S.I. 1992/2784](#), art. 2(a), [Sch.2](#)
- F2** S. 68(1) proviso repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. XV](#)
- F3** S. 68(3) repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. XV](#)

Marginal Citations

- M1** 1896 c. 48.
- M2** 1912 c. 19.

[^{F4}69] Provisions as to purchase of land.

Where an order made under the principal Act incorporates the Lands Clauses Acts, it may incorporate those Acts subject to any modifications contained in the order, being modifications of those Acts made or authorised to be made by the ^{M3}Development and Road Improvement Funds Act 1909.]

Textual Amendments

- F4** S. 69 repealed (E.W.) (1.1.1993) by [Transport and Works Act 1992 \(c. 42\)](#), s. 68(1), [Sch. 4 Pt. I](#); [S.I. 1992/2784](#), art. 2(a), [Sch.2](#)

Marginal Citations

- M3** 1909 c. 47.

70 Government advances to light railways.

..... F5

Textual Amendments

- F5** S. 70 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. XIII](#)

[^{F6}71] Power of councils to give guarantees.

- (1) The council of any county or borough or district may be authorised by an order under the principal Act to guarantee or to join with any council, person, or body of persons in guaranteeing the whole or any part of the interest or dividends on any loan or share capital of a light railway company for such period and on such terms and subject to such conditions as may be approved by the Minister after consultation with the Minister of Health:

..... F7

- (2) Any expenses incurred by the council in satisfying such guarantee shall be defrayed in like manner as expenses incurred by them with reference to an application for an order authorising a light railway under the principal Act.

Changes to legislation: There are currently no known outstanding effects for the Railways Act 1921, Part V. (See end of Document for details)

- (3) Paragraphs (f), (g), and (h) of section eleven of the principal Act shall apply in respect of such guarantee as if the guarantee were an advance by the council].

Textual Amendments

- F6** S. 71 repealed (E.W.) (1.1.1993) by [Transport and Works Act 1992 \(c.42\)](#), s. 68(1), [Sch. 4 Pt. I](#); [S.I. 1992/2874](#), art. 2(a), [Sch.2](#)
- F7** S. 71(1) proviso repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), [Sch. 1 Pt. XV](#)

72 ^{F8}

Textual Amendments

- F8** S. 72 repealed by [Statute Law Revision Act 1959 \(c. 68\)](#)

[^{F9}73 **Amendment of ss. 11 and 24 of principal Act.**

- (1) An order made under the principal Act may contain a provision empowering a railway company to acquire the light railway to which the order relates, not being a railway of the nature of a tramway, and paragraph (l) of section eleven of the principal Act shall have effect accordingly as if in that paragraph after the words “railway” there were inserted the words “or, except in the case of a railway of the nature of a tramway, empowering a railway company to acquire the railway.”
- (2) Where, after the passing of this Act, an order is made under the principal Act authorising a light railway (other than a light railway of the nature of a tramway), an order amending that order may confer on a railway company power to acquire the light railway, notwithstanding that the owners of the light railway do not consent, and section twenty-four of the principal Act shall have effect accordingly.
- (3) For the purposes of this section, a light railway of the nature of a tramway means a light railway laid wholly or mainly along [^{F10}the carriageway of a public road (within the meaning of the [Roads \(Scotland\) Act 1984](#))], and used wholly or mainly for the carriage of passengers.]

Textual Amendments

- F9** S. 73 repealed (E.W.) (1.1.1993) by [Transport and Works Act 1992 \(c. 42\)](#), s. 68(1), [Sch. 4 Pt. I](#); [S.I. 1992/2784](#), art. 2(a), [Sch.2](#)
- F10** Words commencing “the carriageway ...” substituted (S.) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), [Sch. 9 para. 25](#)

Modifications etc. (not altering text)

- C1** The text of the last part of s. 73(1) from “and paragraph” is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Changes to legislation: There are currently no known outstanding effects
for the Railways Act 1921, Part V. (See end of Document for details)*

[^{F11}74 **Construction of Part V.**

This Part of this Act shall be construed as one with the principal Act.]

Textual Amendments

F11 S. 74 repealed (E.W.) (1.1.1993) by Transport and Works Act 1992 (c. 42), s. 68(1), **Sch. 4 Pt. I**; S.I. 1992/2784, art. 2(a), **Sch.2**

Changes to legislation:

There are currently no known outstanding effects for the Railways Act 1921, Part V.