



Board of Trade Arbitrations, &c. Act 1874

1874 CHAPTER 40 37 and 38 Vict

An Act to amend the powers of the Board of Trade with respect to inquiries, arbitrations, appointments, and other matters under special Acts, and to amend the Regulation of Railways Act 1873, so far as regards the reference of differences to the Railway Commissioners in lieu of Arbitrators. [30th July 1874]

Modifications etc. (not altering text)

- C1 Act applied by [Railways \(Electrical Power\) Act 1903 \(c. 30\), s. 3\(2\)](#), [Light Railways Act 1912 \(c. 19\), s. 9\(2\)](#)
- C2 This Act is not necessarily in the form in which it has effect in Northern Ireland

PRELIMINARY

1 Short title.

This Act may be cited as “The Board of Trade Arbitrations, &c. Act 1874.”

PART I

Modifications etc. (not altering text)

- C3 Pt. I applied by [Light Railways Act 1896 \(c. 48\), s. 15](#)

Board of Trade Inquiries, &c.

2 Power of Board of Trade as to inquiry.

Where, under the provisions of any special Act, passed either before or after the passing of this Act, the Board of Trade are required or authorised to sanction, approve, confirm, or determine any appointment, matter, or thing, or to make any order or to

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do any other act or thing for the purposes of such special Act, the Board of Trade may make such inquiry as they may think necessary for the purpose of enabling them to comply with such requisition or exercise such authority.

Where an inquiry is held by the Board of Trade for the purposes of this section, or in pursuance of any general or special Act passed either before or after the passing of this Act, directing or authorising them to hold any inquiry, the Board of Trade may hold such inquiry by any person or persons duly authorised in that behalf by an order of the Board of Trade, and such inquiry if so held shall be deemed to be duly held.

3 Expenses connected with arbitration, sanction, &c.

Where application is made in pursuance of any special Act passed either before or after the passing of this Act, to the Board of Trade to be arbitrators, or to appoint any arbitrator, referee, engineer, or other person, or to hold any inquiry, or to sanction, approve, confirm, or determine, any appointment, matter, or thing, or to make any order, or to do any other act or thing for the purposes of such special Act, all expenses incurred by the Board of Trade in relation to such application and the proceedings consequent thereon, shall, to such amount as the Board of Trade may certify by their order to be due, be defrayed by the parties to such application, and (subject to any provision contained in the said special Act) shall be defrayed by such of the parties as the Board of Trade may by order direct, or if so directed by an order of the Board of Trade shall be paid as costs of the arbitration or reference.

The Board of Trade may, if they think fit, on or at any time after the making the application, by order require the parties to the application, or any of them, to pay to the Board of Trade such sum as the Board of Trade think requisite for or on account of those expenses, or to give security to the satisfaction of the Board of Trade for the payment of those expenses on demand, and if such payment or security is not made or given may refuse to act in pursuance of the application.

All expenses directed by an order of the Board of Trade or an award in pursuance of this section to be paid may be recovered in any court of competent jurisdiction as a debt, and if payable to the Board of Trade, as a debt to the Crown; and an order of the Board of Trade shall be conclusive evidence of the amount of such expenses.

4 Meaning of “special Act.”

In this part of this Act the term “special Act” means a local or local and personal Act, or an Act of a local and personal nature, and includes a provisional order of the Board of Trade confirmed by Act of Parliament and a certificate granted by the Board of Trade under the ^{M1}Railways Construction Facilities Act 1864.

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Textual Amendments

F1 Words repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XXI](#)

Marginal Citations

M1 [1864 c. 121](#).

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5 F2

Textual Amendments

F2 S. 5 repealed by Statute Law Revision Act 1883 (c. 39)

PART II

6–8 F3

Textual Amendments

F3 Ss. 6–8 repealed by Transport Act 1962 (c. 46), Sch. 12 Pt. I

Changes to legislation:

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