



# Railway Regulation Act 1842

1842 CHAPTER 55 5 and 6 Vict

## 9 Gates at level crossings to be kept closed across the road.

And whereas by The <sup>M1</sup>Highway (Railway Crossings) Act 1839 it was enacted, that whenever a railway crosses or shall hereafter cross [<sup>F1</sup>any turnpike road, or any other highway or statute labour road for carts or carriages, in Great Britain], [<sup>F1</sup>the carriageway of a public road (within the meaning of the <sup>M2</sup>Roads (Scotland) Act 1984)]the proprietors or directors of the said railway shall make and maintain good and sufficient gates across each end of such [<sup>F2</sup>turnpike or other road][<sup>F2</sup>carriageway]at each end of the said crossings, and shall employ good and proper persons to open and shut such gates, so that the persons, carts, or carriages passing along such [<sup>F2</sup>turnpike or other road][<sup>F2</sup>carriageway]shall not be exposed to any danger or damage by the passing of any carriages or engines along the said railway: And whereas by the Acts relating to certain railways it is provided that such gates shall be kept constantly closed across the railway, except during the time when carriages or engines passing along the railway shall have to cross such [<sup>F2</sup>turnpike or other road][<sup>F2</sup>carriageway]: And whereas experience has shown that it is more conducive to safety that such gates should be kept closed across the [<sup>F2</sup>turnpike or other road][<sup>F2</sup>carriageway] instead of across the railway: that, notwithstanding anything to the contrary contained in any Act of Parliament heretofore passed, such gates shall be kept constantly closed across each end of such [<sup>F2</sup>turnpike or other roads][<sup>F2</sup>carriageway], in lieu of across the railway, except during the time when horses, cattle, carts, or carriages passing along such [<sup>F2</sup>turnpike or other road][<sup>F2</sup>carriageway] shall have to cross such railway; such gates shall be of such dimensions and so constructed as, when closed across the ends of such [<sup>F2</sup>turnpike or other roads][<sup>F2</sup>carriageway], to fence in the railway, and prevent cattle or horses passing along the road from entering upon the railway while the gates are closed: Provided always, that it shall be lawful for the lords of the said committee, in any case in which they are satisfied that it will be more conducive for the public safety that the gates at any level crossing over any such [<sup>F2</sup>turnpike or other road][<sup>F2</sup>carriageway] should be kept closed across the railway, to order and direct that such gates shall be kept so closed, instead of across the road; and such order of the lords of the said committee shall be a sufficient authority for the directors or proprietors of any railway company to whom such order is addressed for keeping such gates closed, in the manner directed by the lords of the said committee.

*Changes to legislation: There are currently no known outstanding effects for the Railway Regulation Act 1842, Section 9. (See end of Document for details)*

### Textual Amendments

- F1** Words commencing “ the carriageway...” substituted (S.) for words commencing “any turnpike...” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), **Sch. 9 para. 2(a)**
- F2** Word “ carriageway” substituted (S.) for words commencing “turnpike or...” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), **Sch. 9 para. 2(b)**

### Modifications etc. (not altering text)

- C1** References to “lords of the said committee” to be construed as references to Minister of Transport: [Interpretation Act 1889 \(c. 63\)](#), s. 12(8), [Ministry of Transport Act 1919 \(c. 50\)](#), s. 2, **Sch. 1 para. 1**, S.I. 1953/1204 (1953 I, p. 1225), arts. 3(1), 4(4), 1959/1768 (1959 I, p. 1793) arts. 3(2), 4(1), 1970/1681, arts. 2(1), 6(3) and 1979/571, arts. 2(1), 3(5)
- C2** S. 9 excluded (E.W.S.) by [Light Railways Act 1896 \(c. 48\)](#), s. 12, **Sch. 2**
- C3** s. 9 excluded (E.W.S.) (29.04.1992) by S.I. 1992/1113, **art. 3(3)**.  
s. 9 excluded (E.W.S.) (21.05.1992) by S.I. 1992/1267, **art. 4(2)**.
- C4** S. 9 excluded (22.6.1993) by S.I. 1993/1607, **art. 3(3)**
- C5** S. 9 excluded (29.6.1993) by S.I. 1993/1651, **art. 3(2)**(with arts. 6, 8, 9 and 10(2))
- C6** S. 9 excluded (1.9.1993) by S.I. 1993/2154, **art. 3(2)**
- C7** S. 9 excluded (27.7.1993) by 1993 c. xv, s. 3(3)  
S. 9 excluded (24.3.1994) by 1994 c. ii, s. 1, **Sch. Pt. II para. 5(3)(b)**  
S. 9 excluded (31.3.1994) by 1994 c. iv, **Pt. II s. 15(3)** (with s. 28)  
S. 9 excluded (21.7.1994) by 1994 c. xi, s. 3(3)  
S. 9 excluded (21.7.1994) by 1994 c. xv, s. 3(4)  
S. 9 excluded (18.12.1996) by 1996 c. 61, s. 20, **Sch. 9 Pt. II para. 4**
- C8** S. 9 Power to repeal or modify conferred (E.W.S.) (2.2.1994) by 1993 c. 43, s. 117(1)(4)(b)(6) (with S.I. 1990/1380, arts. 3, 4); S.I. 1994/202, **art. 2**  
S. 9 amended (E.W.S.) (2.2.1994) by 1993 c. 43, s. 117(1)(6) (with S.I. 1990/1380, arts. 3, 4); S.I. 1994/202, **art. 2**
- C9** S. 9 disappplied (S.) (11.8.2004) by [Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004 \(asp 10\)](#), **Sch. 5 Pt. 3** (with s. 33)
- C10** S. 9 excluded (E.W.S.) (3.7.2006) by [Port of Blyth \(Battleship Wharf Railway\) Order 2006 \(S.I. 2006/1518\)](#), arts. 1, **3(4)(b)**
- C11** S. 9 excluded (22.7.2008) by [Crossrail Act 2008 \(c. 18\)](#), **Sch. 11 para. 2**
- C12** S. 9 excluded (E.W.S.) (20.5.2013) by [The Transport for Greater Manchester \(Light Rapid Transit System\) \(Miscellaneous Provisions\) Order 2013 \(S.I. 2013/1030\)](#), arts. 1, **6(3)(b)** (with art. 6(4))
- C13** S. 9 excluded (E.W.S.) (16.12.2015) by [The Network Rail \(Tinsley Chord\) Order 2015 \(S.I. 2015/1876\)](#), arts. 1, **3(3)**
- C14** S. 9 excluded (23.2.2017) by [High Speed Rail \(London - West Midlands\) Act 2017 \(c. 7\)](#), s. 70(1), **Sch. 29 para. 3**
- C15** S. 9 excluded (11.2.2021) by [High Speed Rail \(West Midlands - Crewe\) Act 2021 \(c. 2\)](#), s. 64(1), **Sch. 28 para. 3**

### Marginal Citations

- M1** 1839 c. 45.
- M2** 1984 c. 54

**Changes to legislation:**

There are currently no known outstanding effects for the Railway Regulation Act 1842, Section 9.