
STATUTORY INSTRUMENTS

1995 No. 1236

The Foxfield Light Railway Order 1995

Incorporation, application and modification of enactments

- (a) **3.** (1) (a) The following provisions of the Railways Clauses Consolidation Act 1845 **(1)**, so far as they are applicable for the purposes of, and are not inconsistent with, or varied by, the provisions of this Order, are incorporated with, and form part of, this Order:—
- section 16 (works to be executed);
 - section 61 (company to make sufficient approaches and fences to highways crossing on the level);
 - section 68 (accommodation works by company);
 - section 71 (additional accommodation works by owners),
except for the words “or directed by such justices to be made by the company” and “or, in case of difference, as shall be authorised by two justices”;
 - sections 72 and 73 (supplementary provisions relating to accommodation works);
 - section 75 (omission to fasten gates); and
 - sections 78 and 85E (provisions with respect to mines lying under or near the railway).
- (2) Any difference under the said sections 71 to 73 of the said Act of 1845, as so incorporated, between the Society and any other person shall be determined by arbitration.
- (3) The following provisions shall apply to the railways:—
- Regulation of Railways Act 1868 **(2)**
 - Section 22 (Communication between passengers and the company’s servants to be provided);
 - Regulation of Railways Act 1889 **(3)**
 - Section 1 (Power to order certain provisions to be made for public safety); and
 - Section 5 (Penalty for avoiding payment of fares).
- (4) In its application to the railways, section 22 of the Regulation of Railways Act 1868 shall have effect as if the words “and travels more than twenty miles without stopping” were omitted therefrom.
- (5) Sections 116, 117 and 118 of the Transport Act 1968 shall apply to the railways as if references therein to the Board were references to the Society.

(1) 1845 c. 20.
(2) 1868 c. 119.
(3) 1889 c. 57.