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STATUTORY INSTRUMENTS

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**1996 No. 1609 (C.33)**

**TRANSPORT**

**The Transport and Works Act 1992  
(Commencement No. 6) Order 1996**

*Made* - - - - *17th June 1996*

The Secretary of State, in exercise of the powers conferred on him by section 70(1) and (2) of the Transport and Works Act 1992<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order: —

**Citation and interpretation**

1.—(1) This Order may be cited as the Transport and Works Act 1992 (Commencement No. 6) Order 1996.

(2) In this Order “the Act” means the Transport and Works Act 1992.

**Provisions coming into force**

2. The provisions of the Act specified in the first column of the Schedule to this Order (which relate to the matters specified in the second column of that Schedule) shall come into force on 8th July 1996.

**Savings**

3. The repeal of section 124 of the Transport Act 1968<sup>(2)</sup> (except as it applies in Scotland) shall not affect the validity of an Order made under that section and in force immediately before 8th July 1996.

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(1) 1992 c. 42.  
(2) 1968 c. 73.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by authority of the Secretary of State for Transport

Department of Transport  
17th June 1996

*John Watts*  
Minister of State,

## SCHEDULE

Article 2

## PROVISIONS COMING INTO FORCE ON 8TH JULY 1996

<i>Provisions of the Act</i>	<i>Subject-matter of provisions</i>
Section 50.	Orders under section 124 of the Transport Act 1968.(3)
Section 52.	Placing of signs and barriers.
Section 53.	Rights to enter land.
Section 54.	Default powers of Secretary of State.
Section 55.	Offence of failing to comply with sign.
Section 56.	Interpretation of sections 52 to 55.
Section 62.	Exclusion of hackney carriage legislation.
In Section 65(1)(b), the words “section 48,”.	Section 48 of Tramways Act 1870.(4)
Section 68(1) insofar as it relates to the entries in Schedule 4 referred to below.	Repeal of enactments.
In Part I of Schedule 4, in the entry relating to the Tramways Act 1870 the words “Section 48,” and in the entry relating to the Transport Act 1968 the words “Section 124 (except as it applies in Scotland).”.	

**EXPLANATORY NOTE***(This note is not part of the Order)*

This Order brings into force on 8th July 1996 the provisions of the Transport and Works Act 1992 specified in the Schedule to the Order.

These include provisions as to the placement of signs and barriers at private crossings of railways and tramways, and which authorise the making by the Secretary of State of regulations prescribing signs and barriers which he authorises for use at such crossings. They also authorise the Secretary of State to give to a railway or tramway operator directions for the placing of crossing signs or barriers.

The Order also brings into force, subject to a saving, provision for section 124 of the Transport Act 1968 (which gives power for obligations to be imposed by the Secretary of State in respect of level crossings with roads other than public carriage roads) to cease to have effect in its application in England and Wales.

In addition, the Order brings into force provisions which exclude tramcars from certain legislation that relates to hackney carriages (Metropolitan Public Carriage Act 1869), to private hire-cars

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(3) 1968 c. 73.

(4) 1870 c. 78.

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(London Cab Act 1968, section 4), and to private hire vehicles (Local Government (Miscellaneous Provisions) Act 1976, Part II), and also from legislation that bestows on local authorities powers in relation to tramway carriages similar to those they possess in relation to hackney carriages (Tramways Act 1870, section 48).

#### **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by Commencement Orders made prior to the date hereof.

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 25 (Part I) and sections 65(1)(b) (partially), (c), (d) and (f) and 68 (partially); Schedule 1 and Schedule 4, Part I (partially).	1st January 1993	<a href="#">1992/2784</a>
Sections 26 to 40 and 68(1) (partially); Schedule 4, Part I (partially).	7th December 1992	<a href="#">1992/2043</a>
Sections 41, 42, 47(1) (partially), 47(2), 48, 51, 61, 64 and 68(1) (partially); Schedule 2 (partially) and Schedule 4, Part I (partially).	31st January 1993	<a href="#">1992/3144</a>
Sections 45, 46, 49, 57 to 60, 63, 65(1)(a) and (e), 65(2), 66, 67, 68(1) (partially) and 69; Schedule 3 and Schedule 4, Part I (partially) and Part II.	15th July 1992	<a href="#">1992/1347</a>
Section 47(1) (partially); Schedule 2 (partially).	22nd December 1992	<a href="#">1992/3144</a>
Section 65(1) (partially) and 68(1) (partially); Schedule 4, Part I (partially).	5th April 1994	<a href="#">1994/718</a>