
STATUTORY INSTRUMENTS

1997 No. 1266

The Greater Manchester (Light Rapid Transit System) (Airport Extension) Order 1997

PART VI

MISCELLANEOUS AND GENERAL

Amendment of existing enactments

43.—(1) Work No. 10A and Work No. 10B (tramroads in Trafford) of the Greater Manchester (Light Rapid Transit System) (No. 2) Act 1990⁽¹⁾ shall cease to have effect.

(2) Article 36 (maintenance of approved works, etc.) of the Greater Manchester (Light Rapid Transit System) (Eccles Extension) Order 1996⁽²⁾ shall be amended by the substitution of “Health and Safety Executive” for “Secretary of State.”

(3) Article 44 (powers of disposal, agreements for operation, etc.) of the Greater Manchester (Light Rapid Transit System) (Eccles Extension) Order 1996 shall be amended by the omission from subsection (1) of the words “and any rights referred to in article 20”.

Disclosure of confidential information

44. A person who—

- (a) enters a factory, workshop or workplace in pursuance of the provisions of article 21 above, and
- (b) discloses to any person any information obtained there by him relating to any manufacturing process or trade secret,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale unless the disclosure is made in the course of performing his duty in connection with the purposes for which he was authorised to enter the land.

Certification of plans, etc.

45. The undertaker shall, as soon as practicable after the making of this Order, submit copies of the book of reference, the sections and the Order plans to the Secretary of State for certification that they are true copies of, respectively, the book of reference, sections and Order plans referred to in this Order; and a document so certified shall be admissible in any proceedings as evidence of the contents of the document of which it is a copy.

(1) 1990 c. xxiii.
(2) S.I.1996/2714.

Service of notices

46.—(1) A notice or other document required or authorised to be served for the purposes of this Order may be served by post.

(2) Where the person on whom a notice or other document to be served for the purposes of this Order is a body corporate, the notice or document is duly served if it is served on the secretary or clerk of that body.

(3) For the purposes of section 7 of the Interpretation Act 1978⁽³⁾ as it applies for the purposes of this article, the proper address of any person in relation to the service on him of a notice or document under paragraph (1) above is, if he has given an address for service, that address, and otherwise—

- (a) in the case of the secretary or clerk of a body corporate, the registered or principal office of that body, and
- (b) in any other case, his last known address at the time of service.

(4) Where for the purposes of this Order a notice or other document is required or authorised to be served on a person as having any interest in, or as the occupier of, land and his name or address cannot be ascertained after reasonable enquiry, the notice may be served by—

- (a) addressing it to him by name or by the description of “owner”, or as the case may be “occupier”, of the land (describing it), and
- (b) either leaving it in the hands of a person who is or appears to be resident or employed on the land or leaving it conspicuously affixed to some building or object on or near the land.

(5) This article shall not be taken to exclude the employment of any method of service not expressly provided for by it.

No double recovery

47. Compensation shall not be payable in respect of the same matter both under this Order and under any other enactment, any contract or any rule of law.

Arbitration

48. Unless otherwise agreed between the parties, any difference under any provision of this Order (other than a difference which falls to be determined by the tribunal) shall be referred to and settled by a single arbitrator to be agreed between the parties or, failing agreement, to be appointed on the application of either party (after notice in writing to the other) by the President for the time being of the Institution of Civil Engineers.

(3) 1978 c. 30.