
STATUTORY INSTRUMENTS

2020 No. 141

**The Midland Metro (Birmingham
Eastside Extension) Order 2020**

PART 1

PRELIMINARY

Incorporation of the Railways Clauses Consolidation Act 1845

3.—(1) The following provisions of the Railways Clauses Consolidation Act 1845(1) (“the 1845 Act”) are incorporated into this Order as follows—

sections 68 and 69 (accommodation works by company);
section 71 (additional accommodation works by owners);
sections 72 and 73 (supplementary provisions relating to accommodation works);
section 75(2) (omission to fasten gates);
sections 87 and 88 (contracts with other companies);
section 97 (default in payment of tolls);
section 103(3) (refusal to quit carriage at destination);
section 105 (carriage of dangerous goods on railway);
section 144 (defacing of boards); and
section 145(4) (recovery of penalties).

(2) In those provisions as incorporated in this Order—

“the company” means the Authority;
“goods” includes any thing conveyed on the authorised tramway;
“lease” includes an agreement for a lease;
“prescribed”, in relation to any such provision, means prescribed by this Order for the purposes of that provision;
“the railway” means the authorised tramway, together with any authorised works ancillary to the authorised tramway;
“the special Act” means this Order; and
“toll” includes any rate or charge or other payment payable under this Order or any other enactment for any passenger or goods conveyed on any authorised tramway.

(1) 1845 c. 20.

(2) Section 75 was amended by section 49 of the Transport and Works Act 1992 (c. 42).

(3) Section 103 was amended by the Statute Law Revision Act 1892 (c. 19), part 3 of Schedule 7 to the Justices of the Peace Act 1949 (c. 101) and section 46 of the Criminal Justice Act 1982 (c. 48).

(4) Section 145 was amended by the Statute Law Revision Act 1892 (c. 19) and part 2 of Schedule 12 to the Transport Act 1962 (c. 46).

Status: This is the original version (as it was originally made).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

(3) In section 69 of the 1845 Act, as incorporated in this Order, for the words “determined by two justices” to the end, substitute the words “referred to arbitration”.

(4) In section 71 of the 1845 Act, as incorporated in this Order, omit the words “, or directed by such justices to be made by the Company,” and for the words “authorised by two justices” substitute “determined by arbitration”.

(5) Any difference arising under section 72 of the 1845 Act, as incorporated in this Order, must be referred to arbitration.

(6) Sections 68, 69, 71 to 73 and 75 of the 1845 Act, as incorporated in this Order, only apply to the tramways comprised in the authorised tramroads and any authorised works ancillary to those tramroads.