



British Railways Act 1993

1993 CHAPTER iv

PART I

PRELIMINARY

1 Short title

This Act may be cited as the British Railways Act 1993.

2 Interpretation

(1) In this Act, unless the context otherwise requires, words and expressions to which meanings are assigned by the enactments incorporated herewith have in relation to the related subject-matter the same respective meanings; and—

“the Act of 1845” means the Railways Clauses Consolidation Act 1845;

“the Act of 1863” means the Railways Clauses Act 1863;

“the Act of 1965” means the Compulsory Purchase Act 1965;

“the Board” means the British Railways Board;

“enactment” includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment;

“the limits of deviation” means the limits of deviation shown on the deposited plans;

“reference point” means Ordnance Survey National Grid reference point;

“the specified enactments” means the Highway (Railway Crossings) Act 1839, section 9 of the Railway Regulation Act 1842, section 47 of the Act of 1845, sections 5, 6 and 7 of the Act of 1863 and any other provision to the same or similar effect incorporated with, or contained in, any enactment;

“traffic sign” has the meaning assigned to it by section 64 of the Road Traffic Regulation Act 1984;

“the tribunal” means the Lands Tribunal; and

“the works” means the works authorised by this Act.

Status: This is the original version (as it was originally enacted).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

- (2) All directions, distances and lengths stated in any description of works, powers or lands shall be construed as if the words “or thereabouts” were inserted after each such direction, distance and length and distances between points on a railway shall be taken to be measured along the railway.
- (3) Any reference in this Act to a work identified by the number of such work shall be construed as a reference to the work of that number authorised by this Act.
- (4) References in this Act to points identified by letters shall be construed as references to the points so lettered on the deposited plans.
- (5) References in this Act to access to any place shall include reference to egress from that place.
- (6) References in this Act to the purchase by the Board of new rights are references to the purchase of rights to be created in favour of the Board.

3 Incorporation of general enactments

- (1) The following enactments, so far as the same are applicable for the purposes of and are not inconsistent with this Act, are incorporated with this Act, and this Act shall be the special Act for the purposes of the said incorporated enactments:—
 - (a) the Act of 1845, except sections 1, 7, 8, 9, 11, 12, 15, 17, 19, 20, 22 and 23 thereof; and
 - (b) in the Act of 1863, Part I (relating to the construction of a railway), except sections 13 to 19 thereof.
- (2)
 - (a) For the purposes of the enactments incorporated by subsection (1) above the expression “the company” where used in those enactments means the Board.
 - (b) For the purposes of sections 16 and 30 to 44 of the Act of 1845, as incorporated by subsection (1) above, Works Nos. 10, 11A and 11B shall be deemed to be railways authorised by the special Act.
 - (c) Sections 18 and 21 of the Act of 1845, as incorporated by subsection (1) above, shall not extend to regulate the relations between the Board and any other person in respect of any matter or thing concerning which those relations are regulated in any respect by the provisions of Part III of the New Roads and Street Works Act 1991 or by section 41 (For protection of electricity, gas and water undertakers) of this Act.
- (3) Section 65 (1) of the Road Traffic Regulation Act 1984 (placing of traffic signs by highway authorities) shall have effect with respect to the erection and display of any traffic sign by the Board as if it were a traffic sign erected and displayed by a highway authority.

4 Application of Part I of Compulsory Purchase Act 1965

- (1) Part I of the Act of 1965 (except section 4 thereof and paragraph 3 (3) of Schedule 3 thereto), so far as it is applicable for the purposes of and is not inconsistent with this Act, shall apply to the compulsory purchase of land under this Act as it applies to a compulsory purchase to which the Acquisition of Land Act 1981 applies and as if this Act were a compulsory purchase order under the said Act of 1981.

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- (2) In section 11 (1) of the Act of 1965 (which empowers the acquiring authority to enter on and take possession of land the subject of a notice to treat after giving not less than 14 days' notice), as so applied, for the words “fourteen days” there shall be substituted “three months”.
- (3) The Lands Clauses Consolidation Act 1845 shall not apply to the purchase of land under this Act.