

SCHEDULES

SCHEDULE 12

MINOR AND CONSEQUENTIAL AMENDMENTS

The Railway Fires Act 1905

- 2 (1) In section 1 of the Railway Fires Act 1905 (liability of railway companies to make good damage to crops caused by their engines), after subsection (2) there shall be inserted—

“(2A) Any reference in subsection (2) above to a “company” includes a reference to any person—

- (a) who holds a network licence, station licence or light maintenance depot licence under Part I of the Railways Act 1993; or
- (b) who is exempt, by virtue of a licence exemption under section 7 of that Act, from the requirement to be authorised by licence under that Part to be the operator of a network, station or light maintenance depot.

(2B) A person such as is mentioned in subsection (2A) above shall be regarded for the purposes of subsection (2) above as working a railway which consists of the track (if any) comprised in any network, station or light maintenance depot of which he lawfully acts as the operator by virtue of the licence or licence exemption in question.”

- (2) In section 4 of that Act (definitions and application) after the definition of “railway” there shall be inserted—

“The expression “railway company” includes any person—

- (a) who holds a licence under Part I of the Railways Act 1993;
or
- (b) who is exempt, by virtue of a licence exemption under section 7 of that Act, from the requirement to be authorised by licence under that Part to be the operator of a railway asset;

The expressions “light maintenance depot”, “network”, “operator”, “railway asset”, “station” and “track” have the same meaning as they have in Part I of the Railways Act 1993.”