

## SCHEDULES

### SCHEDULE 1

#### SIGNS AND BARRIERS AT PRIVATE CROSSINGS

##### *Default powers of Department*

**3.—**(1) If the operator of a railway fails—

- (a) to comply with a direction given under paragraph 1(2) , or
- (b) to maintain a crossing sign or barrier lawfully placed on or near a private road or path near a place where it crosses the railway,

the Department may itself carry out the work required by the direction or necessary to maintain the crossing sign or barrier.

(2) Any expenses incurred by the Department in doing so shall be recoverable by the Department from the operator.

(3) A direction given under paragraph 1(2) shall be enforceable on the application of the Department by an order of mandamus.