



# Transport Act 1981

## 1981 CHAPTER 56

### PART V

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous*

#### **38 Fires caused by railway engines.**

- (1) In section 1 of the <sup>M1</sup>Railway Fires Act 1905 (liability of railway companies to make good damage to crops caused by their engines), in subsection (3) for the words “two hundred pounds there is substituted “ £3,000 or such greater sum as may for the time being be prescribed by order made by the Secretary of State ” ; and after that subsection there is inserted the following—

“(3A) An order under subsection (3) above shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3B) In the application of subsection (3) above to Northern Ireland for the reference to the Secretary of State there shall be substituted a reference to the Department of the Environment for Northern Ireland and any order made by the Department under that subsection—

- (a) shall be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979; and
  - (b) shall be subject to negative resolution as defined by section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if it were a statutory instrument within the meaning of that Act.”
- (2) In section 2 of the <sup>M2</sup>Railway Fires Act (1905) Amendment Act 1923 the words “not exceeding the sum of two hundred pounds are hereby repealed.

---

**Changes to legislation:** There are currently no known outstanding effects  
for the Transport Act 1981, Section 38. (See end of Document for details)

---

**Modifications etc. (not altering text)**

- C1** The text of ss. 3(5), 35(1)(2), 37, 38, 39, Sch. 4 paras. 1(3), 6, Sch. 5 Pt. I para. 10(1)(2), Sch. 9 Pt. II para. 25, Sch. 12 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

**Marginal Citations**

- M1** [1905 c. 11.](#)  
**M2** [1923 c. 27](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Transport Act 1981, Section 38.