



Railways (Electrical Power) Act 1903

1903 CHAPTER 30

An Act to facilitate the Introduction and Use of Electrical Power on Railways. [14th August 1903]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows

1 Introduction of electrical power under orders of Board of Trade.

- (1) With the object of facilitating the introduction and use of electrical power on railways the Board of Trade may, upon the application of a railway company, make orders for all or any of the following purposes, namely :—
- (a) authorising a railway company to use electricity in addition to or in substitution for any other motive power, and for any other purpose;
 - (b) authorising the company to construct and maintain generating stations or other electrical works on any land belonging to the company;
 - (c) authorising agreements between the company and any body corporate or other person for the supply to the company of electrical power or the supply to or use by the company of any electrical plant or equipment;
 - (d) sanctioning any modification of any working agreement so far as the modification is agreed to between the parties thereto, and is consequential on the introduction or use of electrical power;
 - (e) authorising the company to subscribe to any electrical undertaking which will facilitate the supply of electricity to the company;
 - (f) securing the safety of the public ;
 - (g) authorising the issue of new capital by the company for any of the purposes of this Act;
 - (h) any other matters, whether similar to the above or not, which may be considered ancillary to the objects of the order, or expedient for carrying those objects into effect.

- (2) An order made by the Board of Trade under this Act shall, on coming into operation, have effect as if enacted by Parliament.

2 Acquisition of land for electrical works.

- (1) An order under this Act may contain provisions authorising the acquisition of land by any railway company for the purpose of constructing generating stations or other electrical works, but if power is given by order to acquire the land otherwise than by agreement, the order shall not come into operation, so far as it gives that power, unless confirmed by Parliament, and the Board of Trade may bring in a Bill for confirming the order.
- (2) If while a Bill confirming any such order is pending in either House of Parliament, a petition is presented against the order, the Bill, so far as it relates to the order, may be referred to a Select Committee, or, if the two Houses of Parliament think fit so to order, to a Joint Committee of those Houses, and the petitioner shall be allowed to appear and oppose as in the case of Private Bills.

3 Board of Trade inquiries.

- (1) Before making an order under this Act the Board of Trade shall be satisfied that the public notice required by rules made under this Act of the application for the order has been given, and shall consider any objections made by the council of any county, any local authority, or other person to the application in accordance with those rules, and give to those by whom the objection is made an opportunity of being heard, and if after consideration the Board decide that the objection should be upheld, the Board shall not make the order or shall modify the order so as to remove the objection.
- (2) The Board of Trade may, if they think fit, hold a local inquiry for the purpose of considering any application for an order under this Act, and the Board of Trade Arbitrations, &c. Act, 1874, shall apply to any inquiry so held as if—
- (a) the inquiry was held on an application made in pursuance of the special Act; and
 - (b) the parties making the application for the order and any person objecting to any such application were parties to the application within the meaning of section three of that Act.

4 Expenses and fees.

- (1) The Board of Trade may (with the concurrence of the Treasury as to number and remuneration) appoint or employ such persons as appear to them to be required for carrying this Act into effect, and the remuneration of such persons, and any other expenses of the Board of Trade under this Act, shall be defrayed out of moneys provided by Parliament.
- (2) There shall be charged in respect of proceedings under this Act before the Board of Trade such fees as may be fixed by the Treasury on the recommendation of the Board of Trade.

5 Power to Board of Trade to make rules.

The Board of Trade may make such rules as they think necessary for regulating the notices and advertisements to be given of any application for an order under this Act or otherwise for the purposes of this Act, and any other matter which they think expedient to regulate by rule for the purpose of carrying this Act into effect.

6 Interpretation, saving, short title, and commencement.

- (1) In this Act the expression " railway company " includes a company or person working a railway under lease or otherwise.
- (2) Nothing in this Act shall affect any powers which a railway company may have independently of this Act.
- (3) This Act may be cited as the Railways (Electrical Power) Act, 1903.
- (4) This Act shall come into operation on the first day of January nineteen hundred and four.