



# Railway Fires Act 1905

1905 CHAPTER 11 5 Edw 7

## 4 Definitions and application.

In this Act—

The expression “agricultural land” includes arable and meadow land and ground used for pastoral purposes or for market or nursery gardens, and plantations and woods and orchards, and also includes any fences on such land, but does not include any moorland or buildings;

The expression “agricultural crops” includes any crops on agricultural land, whether growing or severed, which are not led or stacked;

[<sup>F1</sup>[<sup>F2</sup>The expression “EEA State” means a member State, Norway, Iceland or Liechtenstein;]]

The expression “railway” includes any light railway and any tramway worked by steam power.

[<sup>F3</sup> The expression “railway company” includes a reference to a person who holds a European licence granted pursuant to a provision contained in any instrument made for the purpose of implementing Council Directive 1995/18/EC dated 19th June 1995 on the licensing of railway undertakings, as amended by Directive 2001/13/EC dated 26th February 2001 and Directive 2004/49/EC dated 29th April 2004, both of the European Parliament and of the Council, or pursuant to any action taken by an EEA State for that purpose.]

[<sup>F4</sup>The expression “railway company” includes any person—

- (a) who holds a licence under Part I of the Railways Act 1993; <sup>F5</sup>...
- (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; <sup>F5</sup>...

[<sup>F6</sup>[<sup>F7</sup>(c) who holds a railway undertaking licence granted pursuant to the Railway (Licensing of Railway Undertakings) Regulations 2005;]] [<sup>F8</sup>or]

[<sup>F9</sup>(d) who holds a relevant European licence (within the meaning given by section 6(2) of the Railways Act 1993);]

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.]

*Status: Point in time view as at 31/01/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Railway Fires Act 1905, Section 4. (See end of Document for details)*

This Act shall apply to agricultural land under the management of <sup>[F10]</sup>the Crown Estate Commissioners <sup>[F11]</sup>, or to which section 90B(5) of the Scotland Act 1998 applies, and to agricultural crops thereon.

#### Textual Amendments

- F1** Words in s. 4 inserted (E.W.S.) (28.11.2005) by [Railway \(Licensing of Railway Undertakings\) Regulations 2005 \(S.I. 2005/3050\)](#), reg. 1(1), **Sch. 1 para. 1(a)**; and inserted (N.I.) (3.1.2006) by [The Railways Infrastructure \(Access, Management and Licensing of Railway Undertakings\) Regulations \(Northern Ireland\) 2005 \(S.R. 2005/537\)](#), reg. 1(1), **Sch. 5 para. 1(a)**
- F2** Words in s. 4 omitted (E.W.S.) (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **20(a)**
- F3** Words in s. 4 inserted (N.I.) (3.1.2006) by [The Railways Infrastructure \(Access, Management and Licensing of Railway Undertakings\) Regulations \(Northern Ireland\) 2005 \(S.R. 2005/537\)](#), reg. 1(1), **Sch. 5 para. 1(b)**
- F4** Words in s. 4 inserted (E.W.S.) (1.4.1994) by 1993 c. 43, ss. 150(1)(o), 152(1), **Sch. 12 para. 2(2)**; S.I. 1994/571, **art. 5**
- F5** Word in s. 4 omitted (31.1.2022 at 11.00 p.m.) by virtue of [The Railway \(Licensing of Railway Undertakings\) \(Amendment\) Regulations 2021 \(S.I. 2021/1105\)](#), regs. 1(3), **8(a)**
- F6** Words in s. 4 added (E.W.S.) (28.11.2005) by [Railway \(Licensing of Railway Undertakings\) Regulations 2005 \(S.I. 2005/3050\)](#), reg. 1(1), **Sch. 1 para. 1(b)**; and
- F7** Words in s. 4 substituted (E.W.S.) (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **20(b)**
- F8** Word in s. 4 inserted (31.1.2022 at 11.00 p.m.) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment\) Regulations 2021 \(S.I. 2021/1105\)](#), regs. 1(3), **8(b)**
- F9** Words in s. 4 inserted (31.1.2022 at 11.00 p.m.) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment\) Regulations 2021 \(S.I. 2021/1105\)](#), regs. 1(3), **8(c)**
- F10** Words substituted by virtue of S.R. & O. 1924/1370 (Rev. V, p. 443; 1924, p. 228), [Crown Estate Act 1956 \(c. 73\)](#), **s. 1(1)(7)** and [Crown Estate Act 1961 \(c. 55\)](#), **s. 1**
- F11** Words in s. 4 inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), **Sch. 5 para. 5**

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

- C1** S. 4 modified (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **41**; 2020 c. 1, Sch. 5 para. 1(1)

**Status:**

Point in time view as at 31/01/2022.

**Changes to legislation:**

There are currently no known outstanding effects for the Railway Fires Act 1905, Section 4.