



# Transport Act 1962

## 1962 CHAPTER 46

### PART I

#### THE BOARDS AND THE HOLDING COMPANY

##### *The Railways Board*

### **3 Duty and powers of Railways Board**

- (1) It shall be the duty of the Railways Board in the exercise of their powers under this Act to provide railway services in Great Britain and, in connection with the provision of railway services, to provide such other services and facilities as appear to the Board to be expedient, and to have due regard, as respects all those railway and other services and facilities, to efficiency, economy and safety of operation.
- (2) The Railways Board shall co-operate with the London Board for the purpose of ensuring that the railway services provided by the Railways Board in the London Passenger Transport Area are properly coordinated with the services provided by the London Board, and shall afford to the London Board such information of proposed changes in their railway services in the said Area, and such opportunities for consultation, as the London Board may reasonably require for that purpose.
- (3) Subject to this Act, the Railways Board shall have power—
  - (a) to carry goods and passengers by rail within Great Britain,
  - (b) in the circumstances specified in the next following section, to carry goods and passengers by road,
  - (c) to operate the harbours owned or managed by the Railways Board, and to provide port facilities at those harbours,
  - (d) to consign goods on behalf of other persons from any place in Great Britain, or from any place to which the Railways Board have themselves carried the goods in question to any other place, whether in Great Britain or elsewhere,
  - (e) to store within Great Britain goods which have been or are to be carried by the Railways Board, and, so far as any premises provided for the purposes of

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*Status: This is the original version (as it was originally enacted).*

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that or any other part of their business are not required for those purposes, to use them to provide facilities for the storage of other goods,

- (f) to enter into and carry out agreements—
  - (i) with carriers outside Great Britain for the through carriage of goods and passengers under one contract or at a through charge or in the same vehicles or containers, and
  - (ii) with any person engaged in coastal shipping for co-ordinating the activities of that person with those of the Board, and in particular for facilitating the through carriage of goods, for the quoting of through rates and for the pooling of receipts or expenses.
- (4) Subsections (1) and (2) of this section shall not be construed as imposing, either directly or indirectly, any form of duty or liability enforceable by proceedings before any court to which the Board would not otherwise be subject.

#### **4 Railways Board's road services**

- (1) Subject to this section, the Railways Board shall have power—
  - (a) to provide transport services by road—
    - (i) for the carriage of goods which have been or are to be carried by rail or water by the Railways Board, and
    - (ii) for the carriage of goods where a railway service has been temporarily interrupted, and
    - (iii) for the carriage of passengers where a railway service has been temporarily interrupted, or has been discontinued,
 and to carry goods and passengers by those services ;
  - (b) to exercise the powers conferred by the Railway Road Transport Acts of 1928 (which relate to the provision of road transport services).
- (2) The Railways Board shall not in exercise of the powers conferred by the said Acts of 1928 without the consent of the Minister—
  - (a) enter into any agreement for the provision of services for the carriage of passengers by road, whether or not by way of varying an existing agreement, or
  - (b) except in pursuance of an agreement under the said Acts (whether entered into before or after the passing of this Act) provide any service for the carriage of passengers by road which was not being provided by the Commission immediately before the vesting date, or
  - (c) carry any goods by road for hire or reward.
- (3) The foregoing provisions of this section shall not empower the Railways Board to run any public service vehicle as a contract carriage, but the Board shall have power to use any public service vehicle as a contract carriage to carry a pleasure party consisting of persons employed by the Board, with or without their families or friends.
- (4) Notwithstanding the last foregoing subsection, the Railways Board may carry any party by contract carriage on a journey which begins or ends within the city of Sheffield, the county borough of Halifax, the county borough of Huddersfield or the borough of Todmorden.

- (5) Nothing in this section shall authorise the Railways Board to carry passengers by road in a hackney carriage adapted to carry less than eight passengers and used in plying or standing for hire in the street.
- (6) Except as provided by this section the Railways Board shall not have power to provide services for the transport of goods or passengers by road.
- (7) In this section " the Railway Road Transport Acts of 1928 " has the meaning assigned by paragraph 1 of Part II of the Second Schedule to this Act.

## **5 Railways Board's shipping services and power to provide air services**

- (1) The Railways Board shall have the powers conferred by the Railway Shipping Acts but shall not without the consent of the Minister exercise those powers to provide any regular shipping service for the carriage of passengers or goods to or from a port or place outside Great Britain which is not a service which was being provided by the Commission or by one of the bodies listed in Part I of the Fourth Schedule to this Act in the period from the first day of June, nineteen hundred and sixty, to the vesting date, or in some part of that period.
- (2) The Railways Board shall have the powers conferred by the Railway Air Transport Acts of 1929 but shall not exercise those powers without the consent of the Minister.
- (3) Except as provided by this section the Railways Board shall not have power to provide—
  - (a) shipping services for the carriage of goods or passengers to or from any port or place outside Great Britain, or
  - (b) air transport services.
- (4) In this section " the Railway Shipping Acts " and " the Railway Air Transport Acts of 1929 " have the meanings assigned by paragraphs 2 and 3 of Part II of the Second Schedule to this Act.

## **6 Railways Board's power to provide hotels**

The Railways Board shall have power to provide hotels in places where those using the railway services provided by the Board may require them, for use both by those and other persons, and shall have power to manage hotels, but the Board shall not exercise their power of managing hotels without the consent of the Minister.