

SECOND SCHEDULE

Section 32.

TRANSFER OF COMMISSION'S STATUTORY FUNCTIONS

PART I

PUBLIC ACTS

The Railway Fires Act, 1905

5 Edw. 7.c. 11

Section 2
(Powers of entry on land).

The reference to a railway company shall include a reference to any of the Boards.

The London Passenger Transport Act, 1933

23 & 24 Geo. 5. c. 14

In the London Passenger Transport Act, 1933 (so far as not repealed by this Act), for references to the London Passenger Transport Board there shall be substituted references to the London Board.

The Public Health (London) Act, 1936

26 Geo. 5 and 1 Edw. 8. c. 50

Section 304 (3)
(Definition of railway company).

For the reference to the London Passenger Transport Board there shall be substituted a reference to the London Board.

The Criminal Justice Act, 1948

11 & 12 Geo. 6. c. 58

Section 41 (3)
(Evidence in criminal proceedings regarding goods and mail in transit).

For the reference to the Commission or any Executive there shall be substituted a reference to any of the Boards.

The Coast Protection Act, 1949

12, 13 & 14 Geo. 6. c. 74

1 (1) In paragraph (d) of subsection (2) and subsection (8) of section two, in paragraph (c) of subsection (6) of section three and in paragraphs 1 and 8 of the First Schedule (which relate to the appointment of coast protection boards and joint committees) for references to the Commission there shall be substituted references to the Railways Board and the British Waterways Board.

(2) This paragraph shall not affect any order under the said section two, or any appointment made under either of those sections before the vesting date, but the

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power under an order under the said section two or under the said section three to appoint a person to take the place of a representative of the Commission shall be exercisable either by the Railways Board or the British Waterways Board, or both those Boards jointly, as those Boards may agree.

- 2 In paragraph (c) of the proviso to subsection (4) of section five and in paragraph (c) of the proviso to subsection (4) of section eight (which relate to objections to proposals to carry out coast protection work) for the reference to the Commission there shall be substituted a reference to any of the Boards.

The Diseases of Animals Act, 1950

14 Geo. 6. c. 36

Section 22 (Provision of water and food at railway stations).	For references to the Commission there shall be substituted references to any of the Boards.
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The Education (Miscellaneous Provisions) Act, 1953

1 & 2 Eliz. 2. c. 33

Section 12 (1) proviso (a) (School transport in London).	For the reference to the Commission there shall be substituted a reference to the London Board.
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The Post Office Act, 1953

1 & 2 Eliz. 2. c. 36

Section 44 (1)(b) (Power to require conveyance of mail by public service vehicles).	For the reference to the Commission there shall be substituted a reference to the Railways Board and the London Board.
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The Transport Charges &c. (Miscellaneous Provisions) Act, 1954

2 & 3 Eliz. 2. c. 64

Section 13(1) (Interpretation of Act).	In the definition of " independent" for the reference to the Commission there shall be substituted a reference to any of the Boards.
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The Food and Drugs Act, 1955

4 Eliz. 2. c. 16

Section 11(2) (Power to examine food in transit).	For the reference to the Commission and the Commission's railway undertaking there shall be substituted a reference to any of the Boards and to any railway operated by that Board.
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The Food and Drugs (Scotland) Act, 1956

4 & 5 Eliz. 2. c. 30

Section 11(2) (Power to examine food in transit).	For the reference to the Commission and the Commission's railway undertaking there shall be substituted a reference to any of the Boards and to any railway operated by that Board.
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The Highways Act, 1959

7 & 8 Eliz. 2. c. 25

Section 192(3) (Exemptions from liability for payments for making up private streets).	In paragraph (i), for the reference to the Commission or any Executive there shall be substituted a reference to any of the Boards.
Section 295(5) (Definition of undertakers).	For the reference to the Commission there shall be substituted a reference to any of the Boards.

The Road Traffic Act, 1960

8 & 9 Eliz. 2. c. 16

Section 135 (Grant and variation of road service licences).	In subsection (3), for the reference to the Commission there shall be substituted a reference to the Railways Board, and for the reference to the duty of the Commission there mentioned there shall be substituted a reference to the duty imposed on the Railways Board by Part I of this Act.
Section 141 (Commission's road services in special area).	In subsections (1), (4), (5), (6) and (7), for references to the Commission or an Executive there shall be substituted references to the London Board.
Section 142 (Special provisions on certain routes).	For references to the Commission or an Executive there shall be substituted references to the London Board.
Section 157 (Financial and statistical returns).	In subsection (3), for the reference to the Commission or an Executive there shall be substituted a reference to the Railways Board and the London Board.
Section 174 (Applications for carrier's licences).	In subsection (5), for the reference to the Commission there shall be substituted a reference to the Railways Board, and for the reference to the Commission's duty there mentioned there shall be substituted

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| a reference to the duty imposed on the
 | Railways Board by Part I of this Act. |

Act of the Parliament of Northern Ireland
The Criminal Justice Act (Northern Ireland), 1953
1953 c. 14

Section 12 (3) (Evidence in criminal proceedings regarding goods and mail in transit).	For the reference to the Commission or any Executive there shall be substituted a reference to any of the Boards.
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PART II

THE RAILWAY LOCAL ACTS RELATING TO ROAD
 TRANSPORT, SHIPPING AND AIR TRANSPORT

The Railway Road Transport Acts of 1928

- 1 (1) In the Railway Road Transport Acts of 1928—
- (a) for references to the railway companies there mentioned there shall be substituted references to the Railways Board, and
 - (b) for references to the railway systems of those companies there shall be substituted references to the Board's railway system.
- (2) In this paragraph "the Railway Road Transport Acts of 1928" means the London and North Eastern Railway (Road Transport) Act, 1928, the Southern Railway (Road Transport) Act, 1928, the Great Western Railway (Road Transport) Act, 1928, and the London Midland and Scottish Railway (Road Transport) Act, 1928.

The Railway Shipping Acts

- 2 (1) In the Railway Shipping Acts for references to the railway companies there mentioned there shall be substituted references to the Railways Board.
- (2) In this paragraph " the Railway Shipping Acts " means all the local enactments under which the railway companies whose undertakings were under the Transport Act, 1947, transferred to the Commission then had power to provide shipping services, and all local enactments relating to those powers.

The Railway Air Transport Acts of 1929

- 3 (1) In the Railway Air Transport Acts—
- (a) for references to the railway companies there mentioned there shall be substituted references to the Railways Board, and
 - (b) for references to the railway systems of those companies there shall be substituted references to the Board's railway
- (2) In this paragraph " the Railway Air Transport Acts of 1929" means the London and North Eastern Railway (Air Transport) Act, 1929, the Southern Railway (Air

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Transport) Act, 1929, the Great Western Railway (Air Transport) Act, 1929, and the London Midland and Scottish Railway (Air Transport) Act, 1929.

PART III

OTHER FUNCTIONS UNDER LOCAL ENACTMENTS

The London Passenger Transport Acts of 1934 to 1947

In the local Acts cited as the London Passenger Transport Acts, 1933 to 1947, for references to the London Passenger Transport Board there shall be substituted references to the London Board.

The British Transport Commission Act, 1949

12 & 13 Geo. 6. c. xxix

Section 54 (Powers of search and arrest on Commission's property).	For references to the Commission there shall be substituted references to any of the Boards and the Hotel Company.
Section 55 (Trespass on railways).	For references to the Commission there shall be substituted references to any of the Boards.
Section 56 (Stone throwing on railways).	For references to the Commission there shall be substituted references to any of the Boards.
Section 57 (Rights of way over Commission's property).	For references to the Commission there shall be substituted references to any of the Boards.
Section 59 (Rights of pre-emption under Lands Clauses Acts).	For references to the Commission there shall be substituted references to any of the Boards.

The British Transport Commission Order Confirmation Act, 1953

1 & 2 Eliz. 2. c. xx

Section 18 in the Schedule (Service of notices to treat).	For references to the Commission there shall be substituted references to any of the Boards.
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The British Transport Commission Act, 1953

1 & 2 Eliz. 2. c. xlii

Section 52 (Service of notices to treat).	For references to the Commission there shall be substituted references to any of the Boards.
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The British Transport Commission Act, 1954

2 & 3 Eliz. 2. c. lv

Section 24 (Private street expenses).	For references to the Commission there shall be substituted references to any of the Boards.
Section 40 (Barriers at level-crossings).	For references to the Commission there shall be substituted references to any of the following, that is to say, the Railways Board, the London Board and the Docks Board.

The British Transport Commission Act, 1957

5 & 6 Eliz. 2. c. xxxiii

Section 66 (Special safety arrangements at level crossings).	For references to the Commission there shall be substituted references to any of the following, that is to say, the Railways Board, the London Board and the Docks Board.
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The British Transport Commission Act, 1958

6 & 7 Eliz. 2. c. xlv

Section 19 (Raising of stranded or abandoned vessels).	For references to the Commission there shall be substituted references to the British Waterways Board and, as regards the Lower Ouse Improvement, the Docks Board.
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The British Transport Commission Order Confirmation Act, 1959

7 & 8 Eliz. 2. c. xxxvi

Section 15 in the Schedule (Execution of deeds).	For references to the Commission there shall be substituted references to any of the Boards.
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The British Transport Commission Act, 1959

7 & 8 Eliz. 2. c. xlv

Section 26 (Powers as regards canal basins).	For references to the Commission there shall be substituted references to the British Waterways Board.
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The British Transport Commission Act, 1961

9 & 10 Eliz. 2. c. xxxvi

Section 26
(Traffic offences on dock roads).

For references to the Commission there shall be substituted references to any of the following, that is to say, the Railways Board, the Docks Board and the British Waterways Board.

PART IV

THE RAILWAYS CLAUSES ACTS

The following enactments in the Railways Clauses Consolidation Act, 1845, and the Railways Clauses Consolidation (Scotland) Act, 1845, shall apply to all the railways of each of the Boards and shall so apply as if references in those enactments to the company were references to those Boards respectively.

<i>Subject matter</i>	<i>Section of Railways Clauses Consolidation Act, 1845</i>	<i>Section of Railways Clauses Consolidation (Scotland) Act, 1845</i>
Lien for non-payment of tolls	97	90
Passengers avoiding payment of fares	103 and 104	96 and 97
Carriage of dangerous goods	105	98
Defacement of notice boards	144	136
Liability to make good damage inflicted on railway	152	144