



Tramways Act 1870

1870 CHAPTER 78 33 and 34 Vict

PART III

GENERAL PROVISIONS

Miscellaneous

[^{F1}63 Regulating inquiries before referee appointed by the Board of Trade.

Every inquiry which by this Act the Board of Trade are empowered to make or direct shall be made in accordance with the following provisions:

- (1) The inquiry shall be held in public before an officer to be appointed in that behalf by the Board, herein-after called the referee, and whose appointment shall be by writing, which shall specify all the matters referred to him:
- (2) Ten days notice at the least shall be given by the referee to the parties upon whose representation the Board of Trade shall have directed the inquiry, of the time and place at which the inquiry is to be commenced:
- (3) The inquiry shall be commenced at the time and place so appointed, and the referee may adjourn the inquiry from time to time as may be necessary to such time and place as he may think fit:
- (4) The referee by summons shall, on the application of any party interested in the inquiry, require the attendance before himself, at a place and time to be mentioned in the summons, of any person to be examined as a witness before him, and every person summoned shall attend the referee, and answer all questions touching the matter to be inquired into, and any person who wilfully disobeys any such summons or refuses to answer any question put to him by such referee for the purposes of the said inquiry shall be liable to a penalty not exceeding [^{F2}level 1 on the standard scale]] : Provided always, that no person shall be required to attend in obedience to any such summons unless the reasonable charges of his attendance shall have been paid or tendered to him, and no person shall be required in any case in obedience to any such summons to travel more than ten miles from his place of abode:

Changes to legislation: There are currently no known outstanding effects for the Tramways Act 1870, Section 63. (See end of Document for details)

- (5) The referee may and shall administer an oath, or an affirmation where an affirmation in lieu of an oath would be admitted in a court of justice, to any person tendered or summoned as a witness on the inquiry:
- (6) Any person who upon oath or affirmation wilfully gives false evidence before the referee shall be deemed guilty of perjury:
- (7) The referee shall make his report to the Board of Trade in writing, and shall deliver copies of the report upon request to all or any of the parties to the inquiry.

Textual Amendments

- F1** Ss. 49-64 repealed (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order) (1.1.1993) by [Transport and Works Act 1992 \(c. 42\)](#), ss. 65(1)(b), 68(1), [Sch. 4 Pt.I](#); S.I. 1992/2784, art. 2(b), [Sch. 2 Pt.I](#)
- F2** Words substituted by (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [s. 289G](#)

Modifications etc. (not altering text)

- C1** S. 63 excluded by [London Passenger Transport Act 1933 \(c. 14\)](#), [s. 100](#)

Changes to legislation:

There are currently no known outstanding effects for the Tramways Act 1870, Section 63.