
STATUTORY INSTRUMENTS

1973 No. 192

TRANSPORT

**The British Railways Board (Lakeside Branch) Light Railway
(Transfer) Order 1973**

Made - - - - - 8th February 1973
Coming into Operation 9th February 1973

The Secretary of State for the Environment on the application of Lakeside and Haverthwaite Railway Company Limited and in exercise of powers conferred by section 24 of the Light Railways Act 1896(a) as amended by the Light Railways Act 1912(b) and Part V of the Railways Act 1921(c) and now vested in him(d) and of all other powers him enabling in that behalf hereby makes the following Order:—

Citation and commencement

1. This Order shall come into operation on 9th February 1973 and may be cited as the British Railways Board (Lakeside Branch) Light Railway (Transfer) Order 1973.

Interpretation

2.—(1) In this order unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them (that is to say):—

“the Board” means the British Railways Board;

“the Company” means the Lakeside and Haverthwaite Railway Company Limited;

“the principal Act” means the Light Railways Acts 1896 and 1912 as amended by the Railways Act 1921;

“the principal Order” means the British Railways Board (Lakeside Branch) Light Railway Order 1972(e);

“the railway” means that part of the railway authorised by the principal Order to be worked as a light railway under the principal Act.

(2) The Interpretation Act 1889(f) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(a) 1896 c. 48.
(c) 1921 c. 55.
(e) S.I. 1972/1541.

(b) 1912 c. 19
(d) S.I. 1970/1681 (1970 III, p. 5551).
(f) 1889 c. 63.

As to transfer of Railway to the Company

3.—(1) The Board and the Company may enter into and carry into effect agreements providing for:—

(a) the transfer to and vesting in the Company of the railway or any part thereof, or

(b) the leasing to the Company of the railway or any part thereof, on such terms and conditions as may be agreed between the Board and the Company.

(2) In the event of any transfer or lease of the railway or any part thereof under the powers of this Order as from the date upon which such transfer takes effect or during the continuance of any such lease the Company shall to the exclusion of the Board (but subject during the continuance of any such lease to the terms thereof) be entitled to the benefit of and to exercise all the rights, powers and privileges and be subject to all obligations of the Board whether statutory or otherwise for the time being in force in respect of the railway or such part thereof as is transferred or leased as aforesaid.

Costs of Order

4. All costs, charges and expenses of and incident to the preparing for obtaining and making of this Order or otherwise in relation thereto shall be paid by the Company and may in whole or in part be defrayed out of revenue.

Signed by authority of the Secretary of State

W. J. Sharp,
An Under Secretary in the
Department of the Environment.

8th February 1973.