
STATUTORY INSTRUMENTS

1975 No. 1125

TRANSPORT

**The British Railways Board (Whitby and Pickering)
Light Railway (Transfer) Order 1975**

Made - - - - - 3rd July 1975
Coming into Operation 13th July 1975

The Secretary of State for the Environment on the application of the North York Moors Historical Railway Trust Limited and in exercise of the 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 enabling him in that behalf hereby makes the following Order:—

Citation and commencement

1. This Order shall come into operation on 13th July 1975 and may be cited as the British Railways Board (Whitby and Pickering) Light Railway (Transfer) Order 1975.

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 North York Moors Historical Railway Trust Limited;

“the County Council” means the North Yorkshire County Council;

“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 (Whitby and Pickering) Light Railway Order 1974(e);

“the railway” means the railway authorised by the principal Order to be worked as a light railway under the principal Act;

“approved” means approved by the County Council.

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

(a) 1896 c.48.

(c) 1921 c.55.

(e) S.I. 1974/1857.

(b) 1912 c.19.

(d) S.I. 1970/1681 (1970 III, p. 5551).

(f) 1889 c.63.

[DOE 20515]

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 the transfer to and vesting in 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) As from the date upon which such transfer takes effect the Company shall to the exclusion of the Board, be entitled to the benefit of, and to exercise, all 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 as aforesaid.

As to public liability insurance

4.—(1) The Company shall at all times maintain an approved public liability policy with an approved insurance company providing cover in respect of any accident on, or occasioned by the operation of, the railway of not less than five hundred thousand pounds.

(2) The Company shall at the request of the County Council produce to the County Council such evidence as may be requisite for the purpose of proving compliance with paragraph (1) of this Article.

(3) The Company shall not work the railway unless there is in force such a public liability policy as is referred to in paragraph (1) of this Article.

(4) If the Company shall fail to comply with the provisions of paragraph (1) or (3) of this Article they shall be liable on summary conviction to a fine not exceeding one hundred pounds or on conviction or indictment to a fine.

Costs of the Order

5. 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
3rd July 1975.

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