
STATUTORY INSTRUMENTS

1992 No. 1347 (C.45)

**TRANSPORT AND WORKS
TRANSPORT
HARBOURS, DOCKS, PIERS AND FERRIES**

The Transport and Works Act 1992
(Commencement No. 1) Order 1992

Made - - - - 8th June 1992

The Secretary of State for Transport, in exercise of the powers conferred on him by section 70(1) and (2) of the Transport and Works Act 1992⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Transport and Works Act 1992 (Commencement No. 1) Order 1992.

(2) In this Order “the Act” means the Transport and Works Act 1992.

Provisions coming into force

2. The provisions of the Act specified in the first column of the Schedule to this Order (which relate to the matters specified in the second column of that Schedule) shall come into force on 15th July 1992.

Transitional provisions

3. The coming into force of sections 63 and 68(1) of, and Schedule 3 and Part II of Schedule 4 to, the Act shall not affect the application to any Harbour Revision Order or Harbour Empowerment Order of special parliamentary procedure to which, at the time of such coming into force—

- (a) in England and Wales, the Order had already become subject by virtue of paragraph 4A or 8A of Schedule 3 to the Harbours Act 1964⁽²⁾; or
- (b) in Scotland, the Order had already become subject by virtue of paragraph 4B or 8B of Schedule 3 to the Harbours Act 1964.

(1) 1992 c. 42.

(2) 1964 c. 40; paragraphs 4A, 4B, 8A and 8B were inserted by the Transport Act 1981 (c. 56).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4. The repeal of section 62 of the Harbours Act 1964 shall not affect the application of—
- (a) subsection (1) of that section to a Bill the petition for which has been presented to Parliament;
- or
- (b) subsection (2) of that section to a provisional order for the issue of which a petition has been presented to the Secretary of State pursuant to section 1(1) of the Private Legislation Procedure (Scotland) Act 1936⁽³⁾,
- where the petition in question has been received prior to such repeal taking effect.

Signed by authority of the Secretary of State for Transport

8th June 1992

Roger Freeman
Minister of State,
Department of Transport

(3) 1936 c. 52.

SCHEDULE

Article 2

PROVISIONS COMING INTO FORCE ON 15TH JULY 1992

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Section 45	Directions limiting speeds and loads
Section 46	Directions requiring insurance
Section 49	Securing of gates and barriers
Section 57	Duty to consult
Section 58	Prosecutions
Section 59	Offences by bodies corporate etc.
Section 60	Powers of leasing tramways
Section 63	Harbours
Section 65(1)(a)and (e)and (2)	Harbours enactments to cease to have effect
Section 66	Service of notices
Section 67	Interpretation
Section 68(1), in so far as it relates to the provisions of Schedule 4 referred to below	Repeal of enactments
Section 69	Expenses
Schedule 3	Amendment of Harbours Act 1964
Part I of Schedule 4, to the extent specified in the Appendix to this Schedule	Repeals: railways
Part II of Schedule 4	Repeals: harbours

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APPENDIX TO SCHEDULE

The entries relating to the following enactments mentioned in Part I of Schedule 4:

- The British Railways Act 1965(3)
- The London Transport Act 1965(4)
- The Criminal Justice Act 1967(5)
- The London Transport Act 1977(6)
- The British Railways Act 1977(7)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 15th July 1992 the provisions of the Transport and Works Act 1992 (“the Act”) specified in the Schedule to the Order. These include certain provisions relating to the safety of railways and other forms of transport, empowering the Secretary of State to give directions in relation to speeds, loads and insurance cover and making improved provision for the securing of railway crossing gates and barriers. A power of leasing is conferred on certain tramway undertakers.

The Order also brings into force the sections of and Schedules to the Act making changes to the Harbours Act 1964 and associated legislation, in particular in connection with Harbour Revision Orders and Harbour Empowerment Orders. The Order contains a transitional provision which preserves the application of special parliamentary procedure (which is in most circumstances removed) to those Harbour Orders which have already become subject to that procedure. A further transitional provision ensures that the repeal of section 62 of the Harbours Act, which provides for the retention of private Bill and provisional order procedures notwithstanding that the objects of such a Bill or order can be achieved by a Harbour Order, will not apply to any such Bill deposited or order applied for prior to the repeal taking effect.

(3) 1936 c. 52.
(4) 1965 c.xxi.
(5) 1965 c.xli.
(6) 1967 c. 80.
(7) 1977 c.xii.