

---

STATUTORY INSTRUMENTS

---

**1995 No. 861**

**TRANSPORT**

**The Welsh Highland Railway  
(Transfer) Light Railway Order 1995**

*Made* - - - - *14th March 1995*

*Coming into force* - - *15th March 1995*

The Secretary of State for Transport, on the application of Ffestiniog Railway Holdings Limited and the Festiniog Railway Trust, and in exercise of the powers conferred by sections 7, 9 to 12 and 24 of the Light Railways Act 1896(1) and now vested in him(2) and of all other powers enabling him in that behalf, hereby makes the following Order:—

**Citation and commencement**

1. This Order may be cited as the Welsh Highland Railway (Transfer) Light Railway Order 1995 and shall come into force on 15th March 1995.

**Interpretation**

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

“the Company” means The Festiniog Railway Company;

“the deposited plan” means the plan deposited in respect of the application for this Order with the Secretary of State for Transport, 2 Marsham Street, London SW1P 3EB and at the registered office of the Holdings Company;

“the Holdings Company” means Ffestiniog Railway Holdings Limited and whose registered office is at Harbour Station, Porthmadog, Gwynedd, LL49 9NF;

“the Liquidator” means the Liquidator of Welsh Highland Railway (Light Railway) Company (In Liquidation);

---

(1) 1896 c. 48; sections 7 and 9 were repealed in part by the Railways Act 1921 (c. 55), section 86(2) and Schedule 9; section 10 was repealed in part by the Statute Law (Repeals) Act 1986 (c. 12), Schedule 1; section 11 was amended by the Light Railways Act 1912 (c. 19), section 5(3), and the Railways Act 1921, section 73(1), and was repealed in part and further amended in respects not relevant to this Order; section 12 was repealed in part by the Finance Act 1929 (c. 21), section 6 and Schedule; section 24 was amended by the Light Railways Act 1912, section 6 and the Railways Act 1921, section 73(2).

(2) Railways Act 1921, section 68(1), and S.I. 1970/1681, 1979/571 & 1981/238.

“the principal Order” means the Welsh Highland Railway (Light Railway) Orders 1922 and 1923(3);

“the railway” means the railway authorised by the principal Order to be acquired by the Welsh Highland Railway (Light Railway) Company and described in the Schedule to this Order;

“the Trust” means The Festiniog Railway Trust, registered charity no. 239904;

“the undertaking” means the railway and other property, rights and liabilities of the subsisting undertaking of the Welsh Highland Railway (Light Railway) Company.

### **Transfer of railway to the Company**

3.—(1) The Liquidator, The Trust, the Holdings Company and the Company may enter into and carry into effect agreements providing for the transfer to and vesting in the Company of the undertaking on such terms and conditions as may be agreed between the Liquidator, The Trust, the Holdings Company and the Company.

(2) As from the date upon which such transfer takes effect the Company shall to the exclusion of the Welsh Highland Railway (Light Railway) Company and the Liquidator be entitled to the benefit of, and to exercise, all rights, powers and privileges and be subject to all obligations whether statutory or otherwise for the time being in force in respect of the undertaking.

### **Application of principal Order**

4. Subject to the provisions of this Order, as from the date upon which a transfer under article 3 of this Order takes effect the provisions of the principal Order shall apply to the railway with any necessary modification as if for references to the Welsh Highland Railway (Light Railway) Company there were substituted references to the Company.

Signed by authority of the Secretary of State for Transport

14th March 1995

*R. A. Allan*  
An Under Secretary,  
Department of Transport

## SCHEDULE

### THE RAILWAY

For the purposes of this Order “the railway” means the disused railway in the County of Gwynedd known as the Welsh Highland Railway commencing approximately 5 kilometres (3 miles) south of Caernarfon at Dinas and extending for some 37 kilometres (23 miles) and terminating at Porthmadog, together with the Bryn Gwyn branch from Tryfan Junction extending for some 5.23 kilometres (3.25 miles) and terminating at the head of the first incline east of Bryn Gwyn station and the Croesor Tramway from Croesor Junction and extending for some 1.4 kilometres (0.875 mile) and terminating at the foot of Parc Incline near Llanfrothen and more particularly shown coloured pink on the deposited plan, including all lands and works relating thereto and other land, property and artefacts of the Welsh Highland Railway (Light Railway) Company.