
STATUTORY INSTRUMENTS

1997 No. 2262

The Mid-Norfolk Railway Order 1997

PART III

MISCELLANEOUS

Power to operate and use railway

5. Subject to article 8 of this Order, on and after the transfer date the Trust may operate and use the Board's railway as a system, or part of a system, of transport for the carriage of passengers and goods.

Safety of approved works, etc.

6.—(1) Where pursuant to regulations made under section 41 of the Transport and Works Act 1992 (approval of works, plant and equipment) approval has been obtained from the Health and Safety Executive with respect to any works, plant or equipment (including vehicles) forming part of the Board's railway, such works, plant and equipment shall not be used in a state or condition other than that in which they were at the time that the approval was given unless any change thereto does not materially impair the safe operation of the said railway.

(2) If without reasonable cause the provisions of paragraph (1) above are contravened on or after the transfer date the Trust shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) No proceedings shall be instituted in England and Wales in respect of an offence under this article except by or with the consent of the Health and Safety Executive or the Director of Public Prosecutions.

Level crossings

7.—(1) On and after the transfer date the provisions set out in Part II of the Schedule to this Order shall apply to the level crossings mentioned in Part I of that Schedule.

(2) Without prejudice to the generality of article 4(2) of this Order the British Railways Board (Norfolk Railway) (Yaxham Road Level Crossing) Order 1977 and the British Railways Board (Norfolk Railway) (Hall Lane Level Crossing) Order 1977 shall, on and after the transfer date, respectively apply to the level crossings mentioned in Part III of that Schedule as if references to the Board were references to the Trust.

Restrictions as to the conveyance of passengers

8. No part of the Board's railway shall be used for the conveyance of passengers without the prior written permission of the Health and Safety Executive.