



Midland Metro (No. 2) Act 1993

1993 CHAPTER vi

PART I

PRELIMINARY

1 Short title.

- (1) This Act may be cited as the Midland Metro (No. 2) Act 1993.
- (2) This Act shall be included among the Acts which may be cited together as the Midland Metro Acts 1989 to 1993.

2 Interpretation.

- (1) In this Act, unless the context otherwise requires, the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated herewith have the same respective meanings and—

“Act of 1989” means the Midland Metro Act 1989;

“No. 1 Act of 1992” means the Midland Metro Act 1992;

“No. 2 Act of 1992” means the Midland Metro (No. 2) Act 1992;

“No. 1 Act of 1993” means the Act for which the Midland Metro Bill was deposited in the Session of Parliament 1992/93;

“authorised railway” means any railway authorised by this Act including, where the context so admits, any railway adapted for use as part of the Metro;

“authorised works” means the works authorised by this Act;

“existing” means existing at the commencement of this Act;

“limits of deviation” means the limits shown on the deposited plans and, where in the case of a work in any street no such limits are shown for that work, the boundaries of the street (including any verge or roadside waste adjoining it);

“Metro” means the light rail transit system comprising the railways authorised by the Midland Metro Acts 1989 to 1993, including such railways designated as tramways, and all works and conveniences provided in

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connection with any of those railways, as that system is constructed, extended or altered from time to time;

“street” has the meaning given by section 329 of the Highways Act 1980 and includes a bridleway, cycle track or footpath as defined in the said section 329 and any way laid out or used as a cycleway;

“tramway” means a railway, or any part of a railway, authorised by the Midland Metro Acts 1989 to 1993 and therein designated as a tramway;

“underground railway” means so much of Work No. 1 and any works or conveniences connected therewith as are constructed in tunnels, whether bored tunnels or tunnels constructed in a manner which necessitates the cutting through or removal of surface soil;

and the following expressions have the same meanings as in the Act of 1989:—

“the Act of 1845”;

“the Act of 1965”;

“enactment”;

“the Executive”;

“land”;

“the railways board”.

- (2) Unless the context otherwise requires, any reference in this Act to a work identified by the number of the work shall be construed as a reference to the work of that number authorised by this Act.

(3) (a)

In this Act, except as mentioned in paragraph (b) below, all distances and lengths stated in any description of works, powers or lands shall be construed as if the words “or thereabouts” were inserted after each such distance and length, and distances between points on a railway shall be taken to be measured along the railway.

(b) This subsection does not apply to distances or lengths stated in

section 8 (Power to deviate) of this Act.

- (4) Any reference in this Act to rights over land includes reference to the right to do or to place and maintain anything in, on or under the land, or in the air space above its surface.
- (5) Reference in this Act to access to any place includes egress from that place.

3 Incorporation or application of enactments.

- (1) The following provisions of the Act of 1989 (which incorporate or apply enactments for the purposes of that Act) shall, so far as they have effect at the commencement of this Act, have effect as if the references in those provisions to that Act included this Act:—

section 3 (Incorporation and application of enactments relating to railways);

section 4 (Application of the Tramways Act 1870);

section 5 (Application of provisions of the Public Utilities Street Works Act 1950 and Road Traffic Regulation Act 1984); and

section 6 (Application of Part I of the Compulsory Purchase Act 1965);

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- (2) In accordance with section 20 (2) of the Interpretation Act 1978, the reference in subsection (1) above to section 5 of the Act of 1989 is to that section as amended by section 14 (Amendment of Act of 1989 consequential on New Roads and Street Works Act 1991) of the No. 1 Act of 1993.