



# Transport and Works Act 1992

## 1992 CHAPTER 42

### PART III

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous*

#### **64 Maintenance of footpaths and bridleways**

- (1) Section 36 of the Highways Act 1980 (highways maintainable at public expense) shall be amended as follows.
- (2) In subsection (2), at the end of paragraph (c), the word “and” shall be omitted.
- (3) After paragraph (d) of subsection (2), there shall be added—
  - “(e) a highway, being a footpath or bridleway, created in consequence of a rail crossing diversion order, or of an order made under section 14 or 16 of the Harbours Act 1964, or of an order made under section 1 or 3 of the Transport and Works Act 1992.”
- (4) After subsection (3) there shall be inserted—

“(3A) Paragraph (e) of subsection (2) above shall not apply to a footpath or bridleway, or to any part of a footpath or bridleway, which by virtue of an order of a kind referred to in that subsection is maintainable otherwise than at the public expense.”

#### **65 Certain enactments to cease to have effect**

- (1) The following enactments shall cease to have effect—
  - (a) the General Pier and Harbour Act 1861;
  - (b) in the Tramways Act 1870—

section 3 (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order),

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*Status: This is the original version (as it was originally enacted).*

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- sections 4 to 21,  
sections 22 to 24 (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order),  
in section 25, the words from the beginning to “surface of the road” (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order),  
in section 25, the words “and shall not be opened” onwards,  
sections 26 to 40 (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order),  
sections 41 and 42,  
sections 43 to 47 (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order),  
section 48,  
sections 49 to 64 (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order),  
Parts I and II of Schedule A (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order),  
Part III of Schedule A,  
Schedule B, and  
Schedule C (except as incorporated in, or otherwise applied by, any Act of Parliament or Provisional Order);
- (c) the Military Tramways Act 1887;
  - (d) the Railways (Electrical Power) Act 1903;
  - (e) the Fishery Harbours Act 1915;
  - (f) section 220(1)(a) of the Insolvency Act 1986.
- (2) In the Coast Protection Act 1949, in sections 2(8)(a) and 17(8)(b), for the words “to which the Fishery Harbours Act 1915 applies” there shall be substituted the words “which is a fishery harbour for the purposes of section 21 of the Sea Fish Industry Act 1951”.