



# Transport Act 1962

1962 CHAPTER 46 10 and 11 Eliz 2

## PART IV

### MISCELLANEOUS AND GENERAL

#### *Supplemental*

#### **92 Interpretation.**

(1) In this Act, except so far as the context otherwise requires, the following expressions have the meanings herein respectively assigned to them,—

“charges” includes fares, rates, tolls and dues of every description;

“coastal shipping” means the carrying of goods or passengers in ships by sea to or from any point in Great Britain from or to any point in the United Kingdom, the Isle of Man, the Channel Islands or the Republic of Ireland, but does not include the carrying of goods or passengers in the exercise of a right of ferry legally established whether by Act of Parliament or otherwise;

F1

“final accounts of the Commission” has the meaning assigned to it by subparagraph (5) of paragraph 18 of the Seventh Schedule to this Act;

“function” includes powers, duties and obligations;

“goods” includes animals;

“harbour” means any harbour, whether natural or artificial, and any port, haven, estuary, tidal or other river or inland waterway navigated by sea-going ships, and any dock, including any pier, jetty or other place at which ships can ship or unship goods or passengers;

“the Holding Company” has the meaning assigned to it by section twenty-nine of this Act;

“the Hotel Company” has the meaning assigned to it by section thirty-three of this Act;

“inland waterway” includes every such waterway whether natural or artificial;

---

*Changes to legislation: There are currently no known outstanding effects  
for the Transport Act 1962, Section 92. (See end of Document for details)*

---

“land” includes any interest in land and any right over land;

“lease” includes an agreement for a lease;

“liability” includes an obligation;

“local enactment” means any provision—

- (a) in any local Act passed before this Act, or in any Act passed before this Act and confirming a provisional order, and
- (b) in any order or other instrument made under such an Act, and
- (c) in any order made under the <sup>M1</sup>Light Railways Act 1896,

and includes any provision of the <sup>M2</sup>Railways Clauses Consolidation Act 1845, or any other public Act as it is incorporated in an Act or instrument falling under paragraph (a), (b) or (c) of this definition;

F2

.....  
“the Lower Ouse Improvement” means so much of the River Ouse as is within the limits of improvement as defined by section three of the <sup>M3</sup>Ouse (Lower) Improvement Act 1884;

“the Minister” means [<sup>F3</sup>the Secretary of State];

“officer”, in relation to the Commission or any other body, does not include a member of that body;

“participant” means, in relation to a pension scheme, a person who (whether he is referred to in the scheme as a member, as a contributor or otherwise) contributes or has contributed under the scheme and has pension rights thereunder and “participate” shall be construed accordingly;

“pension”, in relation to a person, means a pension, whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions to a pension fund, with or without interest thereon or any other addition thereto and any sums payable on or in respect of the death of that person;

“pension fund” means a fund established for the purposes of paying pensions;

“pension rights” includes, in relation to any person, all forms of right to or eligibility for the present or future payment of a pension, and any expectation of the accruer of a pension under any customary practice, and includes a right of allocation in respect of the present or future payment of a pension;

“pension scheme” includes any form of arrangement for the payment of pensions, whether subsisting by virtue of Act of Parliament, trust, contract or otherwise;

“port facilities” means the constructing, improving, maintaining, regulating, managing, marking or lighting of a harbour or any part thereof, the berthing, towing, moving or dry-docking of a ship which is in, or is about to enter, or has recently left, a harbour, the loading or unloading of goods, or embarking or disembarking of passengers, in or from any such ship, the lighterage or the sorting, weighing, warehousing or handling of goods in a harbour, and the movement of goods within a harbour;

“public service vehicle” shall be construed in accordance with sections one hundred and seventeen and one hundred and eighteen of the <sup>M4</sup>Road Traffic Act 1960;

“the re-organisation effected by this Act” includes any re-organisation effected by a scheme under section sixty-nine of this Act, including any

---

*Changes to legislation: There are currently no known outstanding effects for the Transport Act 1962, Section 92. (See end of Document for details)*

---

amendments of the scheme made not later than six months after the date on which the scheme comes into effect:

“securities”, in relation to a body corporate, means any shares, stock, debentures, debenture stock, and any other security of a like nature, of the body corporate;

“ship” includes every description of vessel used in navigation;

F1

“statutory provision” means a provision whether of a general or of a special nature contained in, or in any document made or issued under, any Act, whether of a general or a special nature;

“subsidiary”, in relation to any body corporate, means a body corporate which is a subsidiary of the first mentioned body corporate as defined by [F4section 1159 of the Companies Act 2006] . . . F5;

“vesting date” has the meaning assigned to it by section thirty-one of this Act;

“wholly-owned subsidiary” means a subsidiary all the securities of which are owned by the body of which it is a subsidiary, or by one or more other wholly-owned subsidiaries of that body, or partly by that body and partly by any wholly-owned subsidiary of that body.

- (2) Any reference in this Act to any provision of the <sup>M5</sup>Railways Clauses Consolidation Act 1845, or of any other Act which is expressed only to have effect as incorporated in another enactment, shall include a reference to that provision as incorporated in any statutory provision passed or made whether before or after the passing of this Act.
- (3) Except so far as the context otherwise requires, any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended, extended or applied by any other enactment including this Act.

---

#### Textual Amendments

- F1** Definitions of “contract carriage”, “express carriage” and “stage carriage” repealed by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(3), **Sch. 8**
- F2** Definitions repealed by [Transport \(London\) Act 1969 \(c. 35\)](#), **Sch. 6**
- F3** Words substituted by virtue of S.I. 1981/238, **arts. 2(2), 3(2)(3)**
- F4** Words in s. 92(1) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 9** (with art. 10)
- F5** Words repealed by [Companies Act 1989 \(c. 40, SIF 27\)](#), s. 144(4), **Sch. 18 para. 4** and expressed to be repealed (1.4.1994) by [1993 c. 43, s. 152\(3\)](#), **Sch.14**; S.I. 1994/571, **art. 5**.

---

#### Marginal Citations

- M1** 1896 c. 48.
- M2** 1845 c. 20.
- M3** 1884 c. clxi.
- M4** 1960 c. 16.
- M5** 1845 c. 20.

**Changes to legislation:**

There are currently no known outstanding effects for the Transport Act 1962, Section 92.