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STATUTORY INSTRUMENTS

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**1989 No. 599**

**TRANSPORT**

**The British Railways Board (Vale of Rheidol)  
Light Railway (Amendment) Order 1989**

*Made* - - - - 29th March 1989

*Coming into force* - - 30th March 1989

The Secretary of State for Transport on the application of the British Railways Board and of Vale of Rheidol Railway Limited and in exercise of powers conferred by sections 7, 9 to 11 and 24 of the Light Railways Act 1896<sup>(1)</sup> as amended by the Light Railways Act 1912<sup>(2)</sup> and Part V of the Railways Act 1921<sup>(3)</sup>, and section 121(4) of the Transport Act 1968<sup>(4)</sup>, and now vested in him<sup>(5)</sup> 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 British Railways Board (Vale of Rheidol) Light Railway (Amendment) Order 1989 and shall come into force on 30th March 1989.

**Interpretation**

2. In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

“the Board” means the British Railways Board;

“the Company” means Vale of Rheidol Railway Limited incorporated under the Companies Act 1985<sup>(6)</sup> and having its registered office at Euston House, 24 Eversholt Street, London NW1 1D2;

“Railway No. 1” and “Railway No. 2” mean respectively the railways more particularly described in the Schedule to this Order;

“the railways” means Railway No. 1 and Railway No. 2;

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(1) 1896 c. 48.  
(2) 1912 c. 19.  
(3) 1921 c. 55.  
(4) 1968 c. 73.  
(5) S.I.1970/1681, 1979/571 and 1981/238.  
(6) 1985 c. 6.

“the Scheme” means a scheme made under Part I of the Transport Act 1981<sup>(7)</sup> transferring the property, rights and liabilities of the Board in the railways to the Company;

“the specified enactment” means section 25 (Restrictions on weight on rails and speed) of the Vale of Rheidol Light Railway (Aberayron Extension) Order 1898; and

“the transfer date” means the day on which the railways are vested in the Company by virtue of the Scheme.

### **Maintenance and working of Railway No. 1 as a light railway**

3. The Board may maintain and work Railway No. 1 as a light railway under, and subject to, the provisions of the Vale of Rheidol (Light) Railway Act 1897<sup>(8)</sup>, the Vale of Rheidol Light Railway (Amendment) Order 1902 and this Order.

### **Assumption of rights, powers, etc., by the Company**

4. As from the transfer date the Company shall, to the exclusion of the Board, be entitled to the benefit of, and to exercise, all rights, powers and privileges and be subject to all obligations of the Board whether statutory or otherwise for the time being in force in respect of the railways.

### **Provision as to bridges**

5. Sections 116, 117 and 118 of the Transport Act 1968 shall from the transfer date apply to the railways as if references therein to the Board were references to the Company.

### **Restrictions and conditions as to working of railways**

6. The specified enactment is hereby revoked and substituted by the following:—

“25.—(1) The Company shall not use upon the railways any engine, carriage or truck bringing any weight upon the rails by any one pair of wheels exceeding such weight as the Secretary of State may allow.

(2) The Company shall not run any train or engine upon any part of the railways at a rate of speed exceeding at any time that fixed by the Secretary of State for such part.

(3) No part of the railways shall be used for the conveyance of passengers without the prior written permission of the Secretary of State and the Company shall comply with any conditions which the Secretary of State may from time to time prescribe for the safety of persons using the railways.

(4) If the Company contravenes any of the provisions of this article it shall for each offence be liable on summary conviction to a fine not exceeding one hundred pounds.”.

### **Public liability insurance**

7.—(1) In this article—

“insurer” means any insurer or insurers authorised under the Insurance Companies Act 1982<sup>(9)</sup> to carry on in the United Kingdom insurance business of a relevant class or who has corresponding permission under the law of another member state of the European Economic Community;

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(7) 1981 c. 56.

(8) 1897 c. clxxiv.

(9) 1982 c. 50.

“policy” means a public liability policy with an insurer providing maximum cover in respect of any one accident on or occasioned by the operation of the railways of not less than one million pounds.

- (i) (2) (i) The Company shall not work the railways unless there is in force a policy in accordance with the provisions of this article.
- (ii) In default of compliance with the provisions of this article the Company shall be liable on summary conviction to a fine not exceeding two thousand pounds and on conviction on indictment to a fine.

(3) The adequacy of the cover provided by a policy maintained in accordance with this article shall be regularly reviewed by the Company.

### **Costs of Order**

**8.** All costs, charges and expenses of and incidental to the preparing for, obtaining and making of this Order or otherwise in relation thereto shall be paid by the Company and may in whole or in part be defrayed out of revenue.

Signed by authority of the Secretary of State

29th March 1989

*A.J. Goldman*  
An Under Secretary in the  
Department of Transport

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

### Railway No. 1

That part of the railway between Aberystwyth and Devil's Bridge in the county of Dyfed as is situate at, and adjacent to, Aberystwyth station and which, with the lands relating thereto, is more particularly delineated and coloured pink on the plan marked "The British Railways Board (Vale of Rheidol) Light Railway (Amendment) Order 1989—Railway No. 1 (Aberystwyth Station)", deposited with the Secretary of State at his office at 2 Marsham Street, London SW1P 3EB, where it is open to inspection free of charge during office hours.

### Railway No. 2

So much of the railway between Aberystwyth and Devil's Bridge authorised by the Vale of Rheidol (Light) Railway Act 1897 and constructed and worked as a light railway under the Vale of Rheidol Light Railway (Amendment) Order 1902 as commences at National Grid reference point SN 5896:8110 and forms the eastern continuation to Devil's Bridge of Railway No. 1