
STATUTORY INSTRUMENTS

1994 No. 1761

The Wirral Tramway Light Railway Order 1994

Incorporation and application of enactments relating to railways

3.—(1) The provisions of the Act of 1845 (except sections 7 to 9, 11 to 23, 30 to 44, 46 to 57, 59 to 62, 86, 94, 95, 103 to 105, 115 to 124 and 138), so far as they are applicable for the purposes and are not inconsistent with or varied by the provisions of this Order, are incorporated with and form part of this Order, and this Order shall be deemed to be the special Act for the purposes of those provisions.

(2) In the provisions incorporated by paragraph (1) above—

(a) the expression “the company” means the undertaker;

(b) section 58 of the Act of 1845 (company to repair roads used by them) shall apply except for the words from “and if any question” to the end.

(3) The provisions of the Regulation of Railways Acts 1840 to 1893, except the provisions of the Regulation of Railways Act 1871⁽¹⁾ and section 1 of the Regulation of Railways Act 1889⁽²⁾, shall not apply in relation to the authorised tramway.

(4) Section 42 of the Road and Rail Traffic Act 1933⁽³⁾ shall not apply to the authorised tramway.

⁽¹⁾ 1871 c. 78.

⁽²⁾ 1889 c. 57.

⁽³⁾ 1933 c. 53.