
STATUTORY INSTRUMENTS

1998 No. 3269

**The Tyne and Wear Passenger
Transport (Sunderland) Order 1998**

PART IV

MISCELLANEOUS AND GENERAL

Application of existing enactments

38.—(1) Any enactment by which any part of any railway or former railway situated within the limits of deviation or the further limits was authorised shall have effect subject to the provisions of this Order.

(2) The relevant enactments shall apply to the Sunderland extension and to railway premises, including stations, station approaches, escalators and moving pavements, comprised in or provided in connection with the Sunderland extension, and to trains or Metro vehicles of the undertaker on the Sunderland extension, as they apply to the rapid transit railway or Metro authorised by the Tyneside Metropolitan Railway Act 1973⁽¹⁾ and to railway premises, including stations, station approaches, escalators and moving pavements, comprised in or provided in connection with the rapid transit railway, and to trains or Metro vehicles on the rapid transit railway.

(3) In paragraph (2) above and paragraph (6) below “the relevant enactments” are—

Tyneside Metropolitan Railway Act 1973—

section 58 (Byelaws relating to rapid transit railway);

Tyne and Wear Passenger Transport Act 1979⁽²⁾—

section 5 (Avoidance of fares);

Byelaws relating to Metro and bus premises made by the Tyne and Wear Passenger Transport Executive on 4th July 1980.

(4) In its application to the Sunderland extension section 5 of the Tyne and Wear Passenger Transport Act 1979 shall have effect as though for the reference in subsection (3) to a fine not exceeding £200 and for the reference in subsection (4) to a fine of £500 there were substituted references to a fine on level 3 of the standard scale.

(5) In the event of conflict, in relation to a station of which the undertaker is not the operator, between—

(a) a byelaw applied, or made under a power applied, by paragraph (2) above; and

(b) any other byelaw made or enforceable by the operator of the station;

that other byelaw shall prevail.

(1) 1973 c.i.
(2) 1979 c.xxxii.

Status: This is the original version (as it was originally made).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

(6) In relation to the existing railway between Newcastle and Hartlepool the relevant enactments shall apply only to trains or Metro vehicles of the undertaker and to stations served by such trains or vehicles.

(7) For the purpose of paragraph (5) above, “operator” has the meaning given by section 6(2) of the 1993 Act.