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STATUTORY INSTRUMENTS

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**1999 No. 2129**

**The Welsh Highland Railway Order 1999**

**PART V**

**OPERATION OF RAILWAYS**

**Maintenance of approved works etc.**

**29.**—(1) Where pursuant to regulations made under section 41 of the Transport and Works Act 1992<sup>(1)</sup> (approval of works, plant and equipment) approval has been obtained in relation to any works, plant or equipment (including vehicles) forming part of the railway, such works, plant and equipment shall not be used in a state or condition other than that in which they were at the time that the approval was given unless any change thereto does not materially impair the safe operation of the railway.

(2) If without reasonable cause the provisions of paragraph (1) above are contravened, the undertaker shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) No proceedings shall be instituted in England and Wales in respect of an offence under this article except by or with the consent of the Health and Safety Executive or the Director of Public Prosecutions.

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(1) 1992 c. 42.