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STATUTORY INSTRUMENTS

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**2010 No. 1721**

**The Network Rail (Nuneaton North Chord) Order 2010**

**PART 1**

**PRELIMINARY**

**Incorporation of Railways Clauses Acts**

**3.—(1)** The following provisions of the Railways Clauses Consolidation Act 1845<sup>(1)</sup> shall be incorporated in this Order—

section 58 (company to repair roads used by them), except for the words from “and if any question” to the end;

section 68 (accommodation works by company);

section 71 (additional accommodation works by owners), except for the words “or directed by such justices to be made by the company” and “or, in case of difference, as shall be authorised by two justices”;

sections 72 and 73 (supplementary provisions relating to accommodation works);

section 77 (presumption that minerals excepted from acquisition of land);

sections 78 to 85E and Schedules 1 to 3 (minerals under railways), as respectively substituted and inserted by section 15 of the Mines (Working Facilities and Support) Act 1923<sup>(2)</sup>;

section 103 (refusal to quit carriage at destination);

section 105 (carriage of dangerous goods on railway); and

section 145 (recovery of penalties).

(2) Section 12 (signals, watchmen etc.) of the Railways Clauses Act 1863<sup>(3)</sup> shall be incorporated in this Order.

(3) In those provisions, as incorporated in this Order—

“the company” means Network Rail;

“goods” includes any thing conveyed on the railway authorised to be constructed by this Order;

“lease” includes an agreement for a lease;

“prescribed”, in relation to any such provision, means prescribed by this Order for the purposes of that provision;

“the railway” means any railway authorised to be constructed by this Order and any other authorised work;

“the special Act” means this Order; and

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(1) 1845 c. 20.

(2) 1923 c. 20.

(3) 1863 c. 92.

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**Status:** This is the original version (as it was originally made).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

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“toll” includes any rate or charge or other payment payable under this Order or any other enactment for any passenger or goods conveyed on any railway authorised to be constructed by this Order.