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STATUTORY INSTRUMENTS

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**2016 No. 545**

**The Midland Metro (Birmingham City Centre Extension,  
etc.) (Land Acquisition and Variation) Order 2016**

**PART 1**

**PRELIMINARY**

**Incorporation of the Railways Clauses Consolidation Act 1845**

4.—(1) The following provisions of the Railways Clauses Consolidation Act 1845<sup>(1)</sup> are incorporated in this Order—

- section 97 (default in payment of tolls);
- section 103<sup>(2)</sup> (refusal to quit carriage at destination);
- section 105 (carriage of dangerous goods on railway)<sup>(3)</sup>;
- section 144<sup>(4)</sup> (defacing of boards); and
- section 145<sup>(5)</sup> (recovery of penalties).

(2) In those provisions as incorporated in this Order—

- “the company” means the Executive;
- “goods” includes any thing conveyed on the authorised tramway;
- “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 the authorised tramway, together with any authorised works ancillary to the authorised tramway;
- “the special Act” means this Order; and
- “toll” includes any rate or charge or other payment payable under this Order or any other enactment for any passenger or goods conveyed on the authorised tramway.

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(1) 1845 c. 20.

(2) As amended by the Statute Law Revision Act 1892 (c. 19), part 3 of Schedule 7 to the Justices of the Peace Act 1949 (c. 101) and section 46 of the Criminal Justice Act 1982 (c. 48).

(3) As amended by Part 3 of Schedule 7 to the Justices of the Peace Act 1949 (c. 101), section 31(6) of the Criminal Law Act 1977 (c. 45) and sections 37 and 46 of the Criminal Justice Act 1982 (c. 48).

(4) As amended by sections 84(4) and 93(1) of the Transport Act 1962 (c. 46), section 31(6) of the Criminal Law Act 1977 (c. 45) and sections 37 and 46 of the Criminal Justice Act 1982 (c. 48).

(5) As amended by the Statute Law Revision Act 1892 (c. 19) and part 2 of Schedule 12 to the Transport Act 1962.