" the Commission " means the British Transport Commission ;

" the Scheme " means the British Transport Commission (Inland Waterways) Charges Scheme, 1958.

(3) The Interpretation Act, 1889(a), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. The scheme as generally in force shall, as from the expiration of the period of one month beginning with the date of the making of the Order, apply to every independent waterway undertaking to which section 3 of the Act applies as it applies to the Commission.

Given under the Official Seal of the Minister of Transport and Civil Aviation this 29th day of October, 1958.

(L.S.) *R. R. Goodison.*
An Under Secretary of the
Ministry of Transport and Civil Aviation.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

The British Transport Commission (Inland Waterways) Charges Scheme, 1958, authorises the Commission to make such charges as may be reasonable in relation to the use of their inland waterways. This Order applies the said Scheme to all independent statutory waterway undertakings any of the charges of which are authorised under a Provisional Order, made and confirmed by Parliament, in pursuance of sections twenty-four and thirty-six of the Railway and Canal Traffic Act, 1888, so as to enable such undertakings, in so far as they are so authorised to make charges, likewise to levy such charges as may be reasonable in respect of the use of their waterways.

1958 No. 347

The Independent Undertakings (Railway Merchandise Charges Scheme Application) Order, 1958

Made - - - - *4th March,* 1958
Coming into Operation *5th April,* 1958

The Minister of Transport and Civil Aviation in exercise of his powers under sections 3 and 4 of the Transport Charges &c. (Miscellaneous Provisions) Act, 1954(b), and of all other powers him enabling in that behalf being satisfied that the British Transport Commission (Railway Merchandise) Charges Scheme, 1957, can properly be applied to a class of railway undertakings, hereby makes the following Order :—

1.—(1) This Order shall come into operation on the fifth day of April, 1958, and may be cited as the Independent Undertakings (Railway Merchandise Charges Scheme Application) Order, 1958.

(a) 52 & 53 Vict. c. 63. (b) 2 & 3 Eliz. 2. c. 64.

(2) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"the Act" means the Transport Charges &c. (Miscellaneous Provisions) Act, 1954;

"the Commission" means the British Transport Commission;

"dock" includes any pier, jetty or other place at which ships can ship or unship goods or passengers not being a waterside wharf;

"the Scheme" means the British Transport Commission (Railway Merchandise) Charges Scheme, 1957;

"waterside wharf" in relation to an independent railway undertaking, means a place for the transhipment of merchandise between river craft or canal craft and the railway of the undertaking being a place situate either upon an inland waterway of the undertaking or within a railway goods yard belonging to the undertaking.

(3) The Interpretation Act, 1889(a), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. This Order shall apply to every independent railway undertaking to which section 3 of the Act applies being an undertaking of the class which carries merchandise by rail otherwise than solely within a dock, that is to say to the independent railway undertakings specified in the First Schedule to this Order.

3. Subject to the provisions of Article 4 of this Order, the Scheme as generally in force shall, as from the expiration of the period of one month beginning with the date of the making of this Order, apply to every independent railway undertaking of the class to which this Order applies as it applies to the Commission.

4. The Scheme in its application to the Manchester Ship Canal Company and the Trafford Park Company shall apply subject to the modifications respectively specified in relation to those companies in Part I and Part II of the Second Schedule to this Order.

Given under the Official Seal of the Minister of Transport and Civil Aviation this fourth day of March, 1958.

(L.S.) *R. R. Goodison,*
An Under Secretary of the Ministry of Transport and Civil Aviation.

FIRST SCHEDULE

Derwent Valley Light Railway
The Felixstowe Dock and Railway Company
The Manchester Ship Canal Company
Milford Haven Dock and Railway Company
The Mumbles Railway and Pier Company
Port of London Authority
Salisbury Railway and Market House Company
The Stocksbridge Railway Company
The Trafford Park Company.

(a) 52 & 53 Vict. c. 63.

SECOND SCHEDULE

PART I

Modifications of the Scheme in its application to the Manchester Ship Canal Company

1. From subparagraph (1) of paragraph 2 of the Scheme the definitions of the expressions "dock", "dock railway" and "waterside wharf" shall be omitted and for the definition of the expression "terminal station" there shall be substituted the following definition:—

"" terminal station" means a station or place upon the railways of the canal company at which goods are loaded or unloaded before or after conveyance but does not include a junction between a railway of the canal company and any private siding, or in respect of goods passing to or from a private siding any junction with such siding; ".

2. From subparagraph (1) of paragraph 6 of the Scheme the headings (*b*) (iii) and (*c*) (iii) shall be omitted.

3. Paragraph 7 of the Scheme shall be omitted.

4. For subparagraph (3) of paragraph 8 of the Scheme there shall be substituted the following subparagraph:—

"(3) In this paragraph the expression "standard charges" means the charges which the canal company were under the provisions of their special Acts of Parliament authorised to make immediately before the date on which this Scheme comes into force."

5. From paragraph 9 of the Scheme the words "and (5)" in subparagraph (2) and subparagraphs (3) and (5) shall be omitted.

6. From subparagraph (3) of paragraph 10 of the Scheme the words "or over any dock railway (whether or not belonging to the Commission)" shall be omitted.

7. In subparagraph (1) of paragraph 17 of the Scheme, for the words "each station at which merchandise is received for carriage by railway or, where merchandise is received for carriage at some place other than a station, then at the station nearest to such place" there shall be substituted the words "their dock offices", and item (iii) shall be omitted therefrom.

8. From the Second Schedule to the Scheme paragraph 3 shall be omitted.

PART II

Modifications of the Scheme in its application to the Trafford Park Company

1. For subparagraph (3) of paragraph 8 of the Scheme there shall be substituted the following paragraph:—

"(3) In this paragraph the expression "standard charges" means the charges which the Company were under the West Manchester Light Railways Order, 1899 (as from time to time amended) authorised to make immediately before the date on which this Scheme comes into force."

2. In subparagraph (1) of paragraph 17 of the Scheme for the words "each station at which merchandise is received for carriage by railway or, where merchandise is received for carriage at some place other than a station, then at the station nearest to such place" there shall be substituted the words "their office" and item (iii) shall be omitted therefrom.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order authorises all independent statutory railway undertakings, other than those whose railways are situated wholly within a dock, to levy for the carriage of merchandise charges within the maximum charges prescribed by the British Transport Commission (Railway Merchandise) Charges Scheme, 1957, or, where no maximum charges are specified, to levy reasonable charges in accordance with the provisions of the Scheme.

1958 No. 403

The Independent Undertakings (Railway Passenger Charges Scheme Application) Order, 1958

Made - - - - 12*th March*, 1958
Coming into Operation 12*th April*, 1958

The Minister of Transport and Civil Aviation in exercise of his powers under section 3 of the Transport Charges &c. (Miscellaneous Provisions) Act, 1954(a), and of all other powers him enabling in that behalf being satisfied that the British Transport Commission (Passenger) Charges Scheme, 1957, can properly be applied to independent railway undertakings, hereby makes the following Order:—

1.—(1) This Order shall come into operation on the twelfth day of April, 1958, and may be cited as the Independent Undertakings (Railway Passenger Charges Scheme Application) Order, 1958.

(2) In this Order, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"the Act" means the Transport Charges &c. (Miscellaneous Provisions) Act, 1954;

"the Commission" means the British Transport Commission;

"the Scheme" means the British Transport Commission (Passenger) Charges Scheme, 1957.

(3) The Interpretation Act, 1889(b), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. The Scheme as generally in force shall, as from the expiration of the period of one month beginning with the date of the making of this Order, apply in relation to the passenger services by rail provided by every independent railway undertaking to which section 3 of the Act applies as it applies in relation to passenger services by rail provided by the Commission otherwise than upon the London Lines within the meaning of that Scheme.

Given under the Official Seal of the Minister of Transport and Civil Aviation this twelfth day of March, 1958.

(L.S.)

R. R. Goodison,
An Under Secretary of the
Ministry of Transport and Civil Aviation.

(a) 2 & 3 Eliz. 2. c. 64. (b) 52 & 53 Vict. c. 63.