CHAPTER xli.

An Act to make provision as to the rates dues tolls and charges leviable at certain of the harbours docks and piers of the London Midland and Scottish Railway Company. A.D. 1924.

[14th July 1924.]

WHEREAS the London Midland and Scottish Railway Company (in this Act referred to as "the Company") were incorporated by the North Western Midland and West Scottish Group Amalgamation Scheme 1923 made in pursuance of the Railways Act 1921:

And whereas the undertaking of the Company includes the following harbour dock and pier undertakings namely Garston Docks Widnes Dock Fleetwood Harbour Wyre Docks Heysham and Morecambe Harbours Barrow Harbour and Docks and (jointly with the Great Western Railway Company) Lydney Harbour and Dock:

And whereas the maximum rates dues tolls and charges which the Company are authorised to levy and make in respect of the said undertakings are prescribed by the Acts specified in the Schedule to this Act:

And whereas the rates dues tolls and charges which the Company may levy and make in respect of the said undertakings have from time to time been increased or altered by orders made by the Minister of Transport under the Harbours Docks and Piers (Temporary Increase of Charges) Acts 1920 to 1922:

[*Price* 6*d. Net.*]

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And whereas the London Midland and Scottish Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1924 relating to the said undertakings was made under the said Acts on the twelfth day of February one thousand nine hundred and twenty-four which order will expire on the fifteenth day of February one thousand nine hundred and twenty-five:

And whereas in order to enable the Company thereafter to levy and make adequate rates dues tolls and charges in respect of the said undertakings it is expedient that the operation of the said order should be continued subject to the provisions in this Act contained for revision of the rates and charges authorised by the said order:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited for all purposes as the London Midland and Scottish Railway (Dock Charges) Act 1924.

Rates and charges.

2. The London Midland and Scottish Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1924 so far as it relates to the respective undertakings specified in the Schedule to this Act shall notwithstanding anything contained in the Harbours Docks and Piers (Temporary Increase of Charges) Acts 1920 to 1922 but subject to the provisions of this Act continue in operation until the first day of October one thousand nine hundred and twenty-nine Provided that no harbour dock wharf or pier rate due toll or charge which is an undefined portion of any composite or consolidated rate due toll or charge relating to traffic conveyed by railway to or from Garston Docks or Widnes Dock shall by virtue or in consequence of this Act be increased to a greater extent or by a greater percentage than the portion of that composite or consolidated rate due toll or charge which is subject to the jurisdiction of the Railway Rates Tribunal may from time to time be increased.

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Deposit of lists of pre-war charges.

3. The Company shall until the first day of October one thousand nine hundred and twenty-nine keep open for public inspection at their principal office at every harbour dock or pier mentioned in the Schedule to this Act the book or list specifying the charges to which the London Midland and Scottish Railway Harbours Docks and Piers (Temporary Increase of Charges) Order 1924 relates and which were in operation at such harbour dock or pier on the thirty-first day of December one thousand nine hundred and thirteen and the conditions attaching to any such charges and the Company shall deposit on or before the thirty-first day of December one thousand nine hundred and twenty-four a certified copy of each such book or list at the office of the Ministry of Transport.

Revision of rates and charges.

4.—(1) If at any time it is represented in writing to the Minister of Transport (in this section referred to as "the Minister")—

(*a*) by any chamber of commerce or shipping or any representative body of traders or any person who in the opinion of the Minister is a proper person for the purpose or

(*b*) by the Company

that under the circumstances then existing all or any of the rates dues tolls or charges authorised in pursuance of this Act should be revised the Minister may if he thinks fit at any time after the fifteenth day of February one thousand nine hundred and twenty-five make an order revising all or any of such rates dues tolls or charges as aforesaid and may fix the date as from which such order shall take effect and thenceforth such order shall be observed until the same expires or is revoked or modified by a further order of the Minister made in pursuance of this section Provided that before making an order under this section the Minister shall cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 as applied by this section.

(2) No application may be made under this section for a general revision of rates dues tolls and charges for the time being authorised under this Act within twelve months after the date of an order made by the Minister for a general revision thereof and no application

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may be made for a revision of any particular rates dues tolls or charges within twelve months after the date of an order made by the Minister for a general revision or of any previous application for a revision of the particular rates dues tolls or charges in question.

(3) The provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section—

(*a*) as if the Minister were referred to therein in lieu of the Board of Trade;

(*b*) as if the person or persons duly authorised to hold any inquiry thereunder were the rates advisory committee constituted under the Ministry of Transport Act 1919 or any sub-committee thereof to which the said advisory committee may under section 2 of the Harbours Docks and Piers (Temporary Increase of Charges) Act 1920 have delegated their powers or in the event of the said advisory committee ceasing to exist some persons with similar qualifications to be appointed for the purpose by an order of the Minister under section 2 of the said Act of 1874; and

(*c*) as if in section 4 of the said Act of 1874 the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the president or of one of the secretaries of the Board."

(4) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require and the Minister and the body or persons holding an inquiry for the purposes of this section may call for such documents and accounts as they may consider relevant and may hear such witnesses as they shall think fit and shall have power to take evidence on oath and for that purpose may administer oaths.

Costs of Act.

5. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act.

Acts.	Undertakings to which applicable.
St. Helens Canal and Railway Transfer Act 1864 - - - - - -	Garston Docks and Widnes Dock.
London and North Western Railway (Additional Powers) Act 1865 - - -	
London and North Western Railway (New Works and Additional Powers) Act 1867 - - - - - -	
London and North Western Railway Act 1902 - - - - - - -	
Preston and Wyre Dock Company Act 1837 - - - - - - - -	Fleetwood Harbour and Wyre Docks.
Fleetwood Docks Act 1864 - - -	
Fleetwood Docks Act 1871 - - -	
Lancashire and Yorkshire and London and North Western Railway Companies (Blackpool and Lytham Railways) Act 1871 - - - - - -	
North Western Railway Act 1852 - -	Heysham and Morecambe Harbours.
Midland Railway Act 1896 - - -	
Furness Railway Act 1863 - - -	Barrow Harbour and Docks.
50 Geo. III. cap. 215 - - - -	Lydney Harbour and Dock.
Great Western and Midland Railway Companies (Severn and Wye and Severn Bridge Railway) Act 1894 -	

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