The Railways (Additional Charges) Regulations, 1950

1950 No. 701

Made - - - -	1*st May*, 1950
Laid before Parliament	2*nd May*, 1950
Coming into Operation	15*th May*, 1950

In exercise of the powers conferred upon him by section 82 of the Transport Act, 1947(a), and of all other powers him enabling, and after consultation with, and consideration of the advice of the permanent members of the Transport Tribunal acting as a consultative committee, the Minister of Transport hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the fifteenth day of May, 1950, and may be cited as The Railways (Additional Charges) Regulations, 1950.

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

"the Acts" means the Railways Act, 1921(b), the Road and Rail Traffic Act, 1933(c), the Railway Rates and Charges Order No. 11 (London, Tilbury and Southend Railway etc.) Order Confirmation Act, 1892(d) and Section 84 of the King's Lynn Docks and Railway Act, 1865(e).

"the Commission" means the British Transport Commission.

"Fractions Rule A" and "Fractions Rule B" have the same meanings as in the Orders.

"the Minister" means the Minister of Transport.

"the Orders" means the Railways (Additional Charges) Order, 1947(f), the Railways (Additional Charges) (No. 2) Order, 1947(g), and the Railways (Additional Charges) (Amendment) Order, 1950(h).

(3) The Interpretation Act, 1889(i) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. These Regulations apply only to services and facilities provided by the Commission in respect of which the Commission were authorised to make any of the additional charges specified in paragraph 1 of the respective schedules to the Railways (Additional Charges) Order, 1947, and the Railways (Additional Charges) (No. 2) Order, 1947, immediately before the coming into operation of the Railways (Additional Charges) (Amendment) Order, 1950.

3. The Commission are hereby authorised to make in respect of any services or facilities to which these Regulations apply, the charges specified in the schedule to these Regulations in addition to any other charges in operation from time to time in respect of those services or facilities under any statutory provision by which the last mentioned charges are regulated.

(a) 10 & 11 Geo. 6. c. 49.
(b) 11 & 12 Geo. 5. c. 55.
(c) 23 & 24 Geo. 5. c. 53.
(d) 55 & 56 Vict. c. xlix.
(e) 28 & 29 Vict. c. lxxxviii.
(f) S.R. & O. 1947 (No. 2012) II, p. 1220.
(g) S.R. & O. 1947 (No. 2013) II, p. 1223.
(h) S.I. 1950 No. 700, *see* Vol. III, p. 854.
(i) 52 & 53 Vict. c. 63.

Provided that, except in the case of an agreement to which the provisions of paragraph 4 of the said Schedule apply and to the extent only to which those provisions apply, the additional charges hereby authorised shall not apply in any case in which the amount of any charge has been determined by agreement.

Given under the Official Seal of the Minister of Transport this first day of May, 1950.

(L.S.) *Alfred Barnes,*
The Minister of Transport.

THE SCHEDULE

Authorised Additional Charges

Charges other than those for the conveyance of passengers and their luggage.

1. Charges other than those referred to in paragraphs 2, 3 and 4 hereof:—

An additional charge equal to 16⅔ per cent. of the amount of the charge for the time being in operation under such of the Acts as are applicable thereto when added to the amount of any charge for the time being authorised to be made in addition to the first mentioned charge under such of the Orders as are applicable thereto, subject to the application of Fractions Rule A.

2. Additional charges per consignment in respect of small parcels (other than returned empties) by merchandise train (hereinafter in this paragraph referred to as "smalls bonuses").

An additional charge equal to the difference between—

(i) the smalls bonus authorised to be made under Part V of the Schedules of Standard Charges settled under the provisions of the Railways Act, 1921, and

(ii) the smalls bonus ascertained in accordance with the scale set out hereunder but with the rate per ton by which such smalls bonus is ascertained increased in accordance with paragraph 1 hereof.

	Per Ton	*Additional Charge per consignment*
	s.	*s. d.*
On rates not exceeding	18	7
" " " "	36	9
" " " "	54	11
" " " "	90	1 1
" " " "	126	1 2
" " " "	180	1 4
" " exceeding	180	1 6

3. Charges continued under the provisions of subsection (2) of section 34 of the Railways Act, 1921:—

An additional charge equal to 16⅔ per cent. of the amount of the charge for the time being in operation under such of the Acts as are applicable thereto when added to the amount of any charge for the time being authorised to be made in addition to the first mentioned charge under such of the Orders as are applicable thereto, subject to the application of Fractions Rule B.

4. Charges agreed under the provisions of Section 37 of the Road and Rail Traffic Act, 1933:—

In the case of an Agreement which contains a statement to the effect that a charge made thereunder includes an addition authorised by an Order of the Minister and provides that if any subsequent modification of such addition

is authorised by the Minister, the charge agreed shall be modified accordingly, an additional charge equal to $16\frac{2}{3}$ per cent. of the amount of the charge in operation under the Agreement immediately before the coming into operation of these Regulations subject to the application of the Fractions Rules as follows:—

(i) In the case of charges on a "Per ton" basis—Fractions Rule A shall apply.

(ii) In the case of charges on a "Per Package", "Per Consignment" or "Per Gallon" basis—Fractions Rule B shall apply, except that, where the charge in operation is expressed in terms including decimals of one penny, the additional charge shall be the actual amount calculated by reference to the charge in operation and no Fractions Rule shall apply.

EXPLANATORY NOTE

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

These Regulations authorise the British Transport Commission to make in connection with the conveyance of merchandise on their railways, additional charges equal to $16\frac{2}{3}$ per cent. of the charges for the time being in operation, except in the case of small parcels by merchandise train. In that case, the level of the charges in operation before the coming into operation of these Regulations was below the general level of other charges. Under these Regulations the levels will now be approximately the same, that is to say, approximately 80 per cent. above the charges authorised by the Acts.

NAVAL RESERVES

The East African Naval Force Order, 1950

1950 No. 179

Made - - - - *3rd February,* 1950

At the Court at Sandringham, the 3rd day of February, 1950

Present,

The King's Most Excellent Majesty in Council

Whereas the East Africa High Commission with the advice and consent of the Legislative Assembly thereof (hereinafter called the Legislature) has, in exercise of powers conferred by the Colonial Naval Defence Acts, 1931 and 1949(**a**), (hereinafter called the Acts) and otherwise vested in the Legislature, enacted the East African Naval Force Act, 1949, whereby provision has been made for raising an East African Naval Force for the naval defence of Kenya, Uganda and Tanganyika within the territorial waters thereof, for the discipline, service and training of the Force, for maintaining and using vessels of war, and for placing the officers and men of the Force and the vessels of war at the disposal of His Majesty for general service in the Royal Navy;

(a) 21 & 22 Geo. 5. c. 9 and 12, 13 & 14 Geo. 6. c. 18.