

**99. Powers to make railways and railway stations, etc.**

- (1) The Public Transport Authority may do the following things in respect of any railway authorised by a special Act:
  - (a) Enter upon and make the railway upon, over, or under any land necessary for the construction thereof, lying along the middle line defined in the map referred to in the Act, or within the authorised limits of deviation, and for this purpose may construct works of every kind and of every material necessary to the making thereof; and locomotive engines, machines, carriages, trucks, wagons, and vehicles of all kinds may be used upon and run over any land entered upon or taken or acquired for a railway lying within the limits aforesaid; and any kind of fuel may be used for any such locomotive engine or machine:
  - (b) Make any part of such line of railway on and along any part of any road or street:
  - (c) Make the railway upon, across, over, or under any road, street, railway, tramway, or public reserve along such line, and may alter the level of any road, street, railway, tramway, or public reserve for such purpose:
  - (d) Make the railway across any arm of the sea, river, stream, or navigable water:
  - (e) Alter the course or the level of any river not navigable, or of any stream, water-course, ditch, or drain:
  - (f) Make drains or conduits on or under any land adjacent to and for the purpose of carrying water from or to the railway; and may at all times maintain the same in good repair:
  - (g) Remove or alter any drain or sewer, or any pipe or other material for the supply of water or of gas belonging to any company or person within or beyond the limits of the railway:
  - (h) Make or construct all such buildings, stations, engines, machinery, piers, wharves, roads, approaches, water supply works, gas works, electric works, telegraph, telephone, and other works in connection with the railway, as may be thought necessary:
  - (i) Do all acts necessary for making, equipping, maintaining, altering, repairing, and using the railway.
- (2) The powers by this section conferred upon the Public Transport Authority may be exercised at any time, whether before, during, or after the construction of the railway, and shall extend to additional lands beyond those on which it has previously entered.
- (3) The provisions of this section shall, subject to the provisions of Part 10 of the *Land Administration Act 1997*, be deemed to have applied and shall apply to all railways constructed under any Act heretofore in force relating to the construction of public works, or in course of construction, or hereafter to be constructed.

*[Section 99 amended by No. 31 of 1997 s. 53; No. 31 of 2003 s. 166(1) and (2).]*