

SCHEDULES

SCHEDULE 10

Section 132.

TRANSPORT POLICE: CONSEQUENTIAL PROVISIONS

The British Transport Commission Act 1949

- 1 (1) Section 53 of the British Transport Commission Act 1949 (which makes provision in relation to transport police, including provision with respect to their appointment, dismissal and resignation) shall in its application to England and Wales be amended in accordance with the provisions of this paragraph.
- (2) For subsection (1) of that section, other than the proviso, there shall be substituted—
- “(1) Subject to the provisions of subsection (2) of this section, any two justices may, on the application of the British Railways Board acting in pursuance of a scheme made by the Secretary of State under section 132 of the Railways Act 1993, appoint all or so many as they think fit of the persons recommended to them for that purpose by that Board acting as aforesaid to act as constables throughout England and Wales:”.
- (3) In the proviso to that subsection, for the words “by any of the Boards” there shall be substituted the words “by—
- (a) the British Railways Board; or
- (b) any person who is a party to an agreement with that Board for making available to that person the services of constables so appointed.”
- 2 (1) The said section 53 shall in its application to Scotland be amended in accordance with the provisions of this paragraph.
- (2) In subsection (1) of that section, for the definition of the approved scheme there shall be substituted—
- ““the approved scheme” means the scheme in force for the organisation of the transport police made by the Secretary of State under section 132 of the Railways Act 1993;”.
- (3) In subsection (4)(a), for the words “by any of the Boards or their wholly owned subsidiaries” there shall be substituted the words “by—
- (i) any of the Boards or their wholly owned subsidiaries; or
- (ii) any person who is a party to an agreement with the British Railways Board for making available to that person the services of constables so appointed.”

The Transport Act 1962

- 3 (1) In the Transport Act 1962, sections 69 (organisation of transport police), 70 (adaptation of certain references to, and relating to, transport police constables) and

Status: This is the original version (as it was originally enacted).

71 (terms and conditions of employment of transport police) shall cease to have effect.

- (2) Unless and until the Secretary of State by order revokes the British Transport Police Force Scheme 1963, that Scheme shall continue in force and shall be treated as if it had been made under section 132 of this Act; but the Secretary of State may, after consultation with the Board and with—
- (a) persons to whom the Board is for the time being making available the services of transport police, or
 - (b) such bodies or persons appearing to the Secretary of State to be representative of those persons as he may consider appropriate,
- by order make such amendments in that Scheme as he thinks fit.
- (3) In sub-paragraph (2) above, “the British Transport Police Force Scheme 1963” means the scheme for the organisation of transport police which is set out in the Second Schedule to the British Transport Police Force Scheme 1963 (Amendment) Order 1992 (being an order amending that scheme as it was set out in the Schedule to the British Transport Police Force Scheme 1963 (Approval) Order 1964).