



# Police Reform Act 2002

## 2002 CHAPTER 30

### PART 4

#### POLICE POWERS ETC.

### CHAPTER 1

#### EXERCISE OF POLICE POWERS ETC. BY CIVILIANS

#### **43      Railway safety accreditation scheme**

- (1) The Secretary of State may make regulations for the purpose of enabling the chief constable of the British Transport Police Force to establish and maintain a scheme (“a railway safety accreditation scheme”).
- [<sup>F1</sup>(2) A railway safety accreditation scheme is a scheme for the exercise, within a place specified in section 31(1)(a) to (f) of the Railways and Transport Safety Act 2003 in England and Wales, by persons accredited by the chief constable of the British Transport Police Force under the scheme, of the powers conferred on those persons by their accreditation under that scheme.]
- (3) The regulations may make provision—
  - (a) as to the purposes for which a railway safety accreditation scheme may be established;
  - (b) as to the procedure to be followed in the establishment of such a scheme; and
  - (c) as to matters for which such a scheme must contain provision.
- (4) The regulations may make provision as to the descriptions of persons who may be accredited under a railway safety accreditation scheme and as to the procedure and criteria to be applied for the grant of any accreditation under such a scheme.
- (5) The regulations may make provision as to the powers which may be conferred on a person by an accreditation under such a scheme.

*Status: Point in time view as at 01/07/2004. This version of this provision has been superseded.*

*Changes to legislation: Police Reform Act 2002, Section 43 is up to date with all changes known to be in force on or before 20 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (6) Subject to subsection (7), no regulations made by virtue of subsection (5) shall permit a power to be conferred on a person accredited under a railway safety accreditation scheme which could not be conferred on an accredited person under a community safety accreditation scheme.
- (7) The regulations may provide that the powers which may be conferred on a person by an accreditation under a railway safety accreditation scheme include the powers of a constable in uniform and of an authorised constable to give a penalty notice under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001 (fixed penalty notices) in respect of the following offences—
- (a) an offence under section 55 of the British Transport Commission Act 1949 (c. xxix) (trespassing on a railway);
  - (b) an offence under section 56 of that Act (throwing stones etc. at trains or other things on railways).
- (8) In relation to a person accredited under a railway safety accreditation scheme, the regulations may apply, with such modifications as may be prescribed by them, any provision of this Chapter which applies in relation to an accredited person.
- (9) Before making regulations under this section the Secretary of State shall consult with—
- (a) persons whom he considers to represent the interests of chief officers of police;
  - (b) the chief constable of the British Transport Police Force;
  - (c) persons whom he considers to represent the interests of police authorities;
  - (d) the [<sup>F2</sup>British Transport Police Authority] ;
  - (e) persons whom he considers to represent the interests of local authorities;
  - (f) the Mayor of London; and
  - (g) such other persons as he thinks fit.
- (10) In this section—
- “local authorities” means district councils, London borough councils, county councils in Wales, county borough councils and the Common Council of the City of London; and

F3

#### Textual Amendments

- F1** S. 43(2) substituted (1.7.2004) by [The British Transport Police \(Transitional and Consequential Provisions\) Order 2004 \(S.I. 2004/1573\)](#), [art. 12\(7\)\(a\)](#)
- F2** Words in s. 43(9)(d) substituted (1.7.2004) by [The British Transport Police \(Transitional and Consequential Provisions\) Order 2004 \(S.I. 2004/1573\)](#), [art. 12\(7\)\(b\)](#)
- F3** S. 43(10): definition of "policed premises" repealed (1.7.2004) by [The British Transport Police \(Transitional and Consequential Provisions\) Order 2004 \(S.I. 2004/1573\)](#), [art. 12\(7\)\(c\)](#)

#### Modifications etc. (not altering text)

- C1** S. 43 amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 73, 120, [Sch. 5 para. 4](#) (with s. 72); [S.I. 2004/1572](#), [art. 3\(jjj\)](#)

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