PART 1
INVESTIGATION OF RAILWAY ACCIDENTS

Introduction
1 Meaning of “railway” and “railway property”
2 Meaning of railway accident” and railway incident”

The Rail Accident Investigation Branch
3 Establishment
4 General aims
5 Assistance to others
6 Annual report

Investigation by Branch
7 Investigations
8 Investigator’s powers
9 Regulations

Investigation by industry
10 Requirement to investigate

Accident regulations
11 Accident regulations
Changes to legislation: Railways and Transport Safety Act 2003 is up to date with all changes known to be in force on or before 11 December 2018. 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)

General

12 Crown application
13 Regulations
14 Extent

PART 2
OFFICE OF RAIL AND ROAD

15 Establishment
15A Change of name
16 Transfer of functions
17 Extent

PART 3
BRITISH TRANSPORT POLICE

Police Authority

18 The British Transport Police Authority
19 Exercise of functions

Police Force

20 Establishment of Police Force
21 Chief Constable
22 Deputy Chief Constable
23 Assistant Chief Constables
24 Constables
25 Special constables
26 Cadets
27 Civilian employees
28 Exercise of powers by civilians
29 Terms of employment
30 Trade union membership

Jurisdiction

31 Jurisdiction
31A Exercise of powers and privileges in Scotland
32 Prosecution

Police Services Agreements

33 Police services agreement
34 Compulsory police services agreement
35 Arbitration by Secretary of State

Regulation of Police Force

36 Police regulations: general
37 Police regulations: special constables
38 Police regulations: cadets
39 British Transport Police Federation
40 Regulations: approval in draft
41 Police regulations: direction to Authority
Railways and Transport Safety Act 2003 (c. 20)

Document Generated: 2018-12-11

Changes to legislation: Railways and Transport Safety Act 2003 is up to date with all changes known to be in
force on or before 11 December 2018. 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)

<table>
<thead>
<tr>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>42</td>
</tr>
<tr>
<td>43</td>
</tr>
<tr>
<td>44</td>
</tr>
<tr>
<td>45</td>
</tr>
<tr>
<td>46</td>
</tr>
<tr>
<td>47</td>
</tr>
<tr>
<td>48</td>
</tr>
<tr>
<td>49</td>
</tr>
</tbody>
</table>

Planned:

<table>
<thead>
<tr>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
</tr>
<tr>
<td>51</td>
</tr>
<tr>
<td>52</td>
</tr>
<tr>
<td>53</td>
</tr>
<tr>
<td>54</td>
</tr>
<tr>
<td>55</td>
</tr>
</tbody>
</table>

Information, &c.:

<table>
<thead>
<tr>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>56</td>
</tr>
<tr>
<td>57</td>
</tr>
<tr>
<td>58</td>
</tr>
<tr>
<td>59</td>
</tr>
<tr>
<td>60</td>
</tr>
<tr>
<td>61</td>
</tr>
<tr>
<td>62</td>
</tr>
</tbody>
</table>

Inspection:

<table>
<thead>
<tr>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>63</td>
</tr>
<tr>
<td>64</td>
</tr>
<tr>
<td>65</td>
</tr>
<tr>
<td>66</td>
</tr>
<tr>
<td>67</td>
</tr>
</tbody>
</table>

Miscellaneous:

<table>
<thead>
<tr>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>68</td>
</tr>
<tr>
<td>69</td>
</tr>
<tr>
<td>70</td>
</tr>
<tr>
<td>71</td>
</tr>
</tbody>
</table>

General:

<table>
<thead>
<tr>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>72</td>
</tr>
<tr>
<td>73</td>
</tr>
<tr>
<td>74</td>
</tr>
<tr>
<td>75</td>
</tr>
<tr>
<td>76</td>
</tr>
<tr>
<td>77</td>
</tr>
</tbody>
</table>

**PART 4**

**SHIPPING: ALCOHOL AND DRUGS**
Offences

78 Professional staff on duty
79 Professional staff off duty
80 Non-professionals
81 Prescribed limit

Enforcement

82 Penalty
83 Specimens, &c.
84 Detention pending arrival of police
85 Arrest without warrant
86 Right of entry

General

87 Consequential repeal
88 Orders and regulations
89 Interpretation
90 Crown application, &c.
91 Territorial application

PART 5
AVIATION: ALCOHOL AND DRUGS

Offences

92 Being unfit for duty
93 Prescribed limit
94 Aviation functions

Enforcement

95 Penalty
96 Specimens, &c.
97 Arrest without warrant
98 Right of entry

General

99 Regulations
100 Crown application
101 Military application
102 Territorial application

PART 6
MISCELLANEOUS

103 Convention on International Carriage by Rail
104 Office of Rail Regulation: general duties
105 Railways safety levy
106 Railway security services
107 Road traffic: testing for drink and drugs
108 Traffic regulation on long distance routes
109 Road traffic: fixed penalty
PART 7

GENERAL

116 Schedules 1 and 4: sequestration, &c. in Scotland
117 Interpretation: enactment
118 Repeals
119 Money
120 Commencement
121 Extent
122 Short title

SCHEDULES

SCHEDULE 1 — Office of Rail and Road

Constitution

1 (1) The Office of Rail and Road shall consist of...
2 The Secretary of State may dismiss a member of the...

Staff

3 (1) The Office shall appoint a Chief Executive.
4 (1) The Office may appoint other employees.
5 Service as an employee of the Office is employment in...

Proceedings

6 The Office may establish one or more committees (which may...
7(1) The Office may delegate a function to—
8 The Office shall— (a) determine arrangements for the conduct of...
9 (1) The Office may do anything which it thinks necessary...
10 The validity of any proceedings of the Office shall not...

Money

11 The Office may with the approval of the Secretary of...
12 (1) This paragraph applies where an employee of the Office...
13 If the Secretary of State thinks that special circumstances of...
14 The Office may incur expenditure in connection with advisory or...
15 Expenditure incurred by the Office in connection with the performance...
16 The Office may not borrow money.

Conflict of interest

17 (1) Before appointing a person as a member of the...
18 (1) Procedural arrangements made by the Office under paragraph 8...

SCHEDULE 2 — Abolition of Rail Regulator: Consequential Amendments

Part 1 — RAILWAYS ACT 1993 (C. 43)

1 The Railways Act 1993 shall be amended as follows.
2 Section 1 and Schedule 1 (the Rail Regulator) shall cease...
3 Subject to the following paragraphs of this Schedule, in the...
4 In section 7 (exemptions from section 6)—
5 In section 8(4)(a) and (b) (licences) after “he” insert “...
6 In section 9(3)(f) (conditions of licences) after “he” and “him”...
7 In section 15(4A) (modification following report)— (a) omit “he or”,...
8 In section 15C(3) (sections 15A and 15B: supplementary)—
9 In section 20(3)(b) (exemption of railway facilities from sections 17,...
10 In section 21(5) (model clauses for access contracts)—
11 In section 55(5ZA)(a) (orders for securing compliance) for the second...
12 In section 57A(5)(a) (penalties) for the second “it” substitute “...
13 In section 57B (statement of policy)— (a) in subsection (3)...
14 In section 74 (reports)— (a) in subsection (1) for “after...
15 In section 76(5A) (matters referred to the Authority by the...
16 In section 77(4A) (matters referred to the Authority by a...
17 In section 151(1) (general interpretation) omit the definition of “the...
18 In Part I of Schedule 6 (railway administration orders) for...

Part 2 — OTHER ACTS

General

19 In the following enactments for a reference to the Rail...
20 In addition to the amendments effected by paragraph 19, the...

House of Commons Disqualification Act 1975 (c. 24)

21 In Schedule 1 to the House of Commons Disqualification Act...

Channel Tunnel Rail Link Act 1996 (c. 61)

22 In sections 21 and 22 of the Channel Tunnel Rail...

Greater London Authority Act 1999 (c. 29)

23 For section 228(1) of the Greater London Authority Act 1999...

Financial Services and Markets Act 2000 (c. 8)

24 In the table in Part I of Schedule 19 to...

SCHEDULE 3 — Abolition of Rail Regulator: Savings, &c.

1 Section 16 shall not affect the validity of anything done...
2 Anything done by or in relation to the Rail Regulator...
3 Anything (including any legal proceedings) which at commencement is...
4 A reference in any enactment, instrument or other document to...
5 (1) Section 16 is without prejudice to any personal right...
6 Abolition of Rail Regulator: Savings, &c.
7 In this Schedule “commencement” means the coming into force of...
SCHEDULE 4 — British Transport Police Authority

Part 1 — MEMBERSHIP

Appointment
1 (1) The Secretary of State— (a) shall appoint the members...
2 (1) The Secretary of State shall so far as is...

Tenure
3 (1) A member of the Authority shall hold and vacate...

Chairman and deputy chairman
4 (1) The Secretary of State shall appoint a member of...
5 (1) The Secretary of State may appoint a member of...
6 The Secretary of State may not appoint as chairman or...

Disqualification
7 (1) A person under the age of 21 shall not...
8 If a member of the Authority becomes ineligible for appointment...

Part 2 — PROCEEDINGS

Standards of conduct
9 (1) The Authority shall make a code of practice establishing...

Staff
10 The Authority may— (a) appoint staff; (b) delegate a function...
11 In particular, the Authority shall appoint— (a) a Treasurer with...

Committees
12 The Authority may— (a) establish a committee (which may include...

Procedure
13 The Authority shall determine its practice and procedure (subject to...
14 (1) The Authority shall conduct its proceedings in public.

Validity of proceedings
15 The validity of proceedings of the Authority shall not be...

Part 3 — MONEY AND PROPERTY

The British Transport Police Fund
16 The Authority shall establish a fund to be known as...
17 The Authority shall— (a) maintain accounts of the British Transport...
17A The Comptroller and Auditor General shall examine, certify and report...
18 All expenditure of the Authority shall be made by way...

Budget
19 (1) The Authority shall before each financial year set a...
20 The Authority shall make an estimate of the likely ratio...

Members: remuneration, allowances, &c.

21 (1) The Authority shall publish arrangements for the making of...

General staff: remuneration, allowances, &c.

22 (1) The Authority may make payments to or in respect...

Constables, &c.: remuneration, allowances, &c.

23 (1) The Authority may make payments to or in respect...

Pensions

24 (1) This paragraph applies in relation to any pension scheme...

25 (1) The Authority may with the consent of the Secretary...

26 The Authority may make payments— (a) under a scheme in...

Income

27 The Secretary of State may make a payment to the...

28 The Authority may accept money or other property, by way...

29 The Authority may borrow money only from or with the...

30 All money received by the Authority shall be paid into...

Property

31 The Authority may acquire, develop or dispose of property.

Financial year

32 The financial year of the Authority shall be the period...

Part 4 — MISCELLANEOUS

Status

33 (1) The Authority shall not be regarded as the servant...

SCHEDULE 5 — British Transport Police: Consequential Amendments>

British Transport Commission Act 1949 (c. xxi)

1 Section 53 of the British Transport Commission Act 1949 (constables)...

Railways Act 1993 (c. 43)

2 Sections 132 and 133 of (and Schedule 10 to) the...

Anti-terrorism, Crime and Security Act 2001 (c. 24)

3 Paragraphs 6 and 25 of Schedule 7 to the Anti-terrorism,...

General

4 (1) In the enactments specified in sub-paragraph (2) and, in...

SCHEDULE 6 — Convention on International Carriage by Rail
PROVISION WHICH MAY BE INCLUDED IN REGULATIONS MADE UNDER OR BY VIRTUE OF SECTION 103

Introduction

1 (1) In this Schedule “regulations” means regulations which are made —...

General

2 Regulations may— (a) make provision enabling a right or duty...

Changes to Convention

3 (1) Regulations may make provision about modification of the Convention...
4 Regulations may make provision about the publication of—

Imposition of conditions

5 (1) Regulations may specify conditions which must be satisfied before...

Sanctions

6 (1) Regulations may provide a criminal or other sanction in...

Related legal proceedings

7 (1) Regulations may make provision designed to prevent double recovery....

Enforcement of judgments

8 (1) Regulations may make provision about the enforcement of judgments....

Special drawing rights

9 (1) Regulations may make provision for the conversion of special...

Saving

10 This Schedule is without prejudice to the generality of—

SCHEDULE 7 — Road Traffic: Testing for Drink and Drugs
1 For section 6 of the Road Traffic Act 1988 (c....
2 In section 7(3) of that Act (provision of specimen for...
3 In section 9(1) of that Act (protection for hospital patients)—...
4 In section 10(1) of that Act (detention of persons affected...
5 In section 11 of that Act (interpretation)—
6 In section 184(1)(f) of that Act (application of sections 5...
7 In Schedule 1 to the Road Traffic Offenders Act 1988...
8 In Schedule 2 to that Act (prosecution and punishment of...
9 In section 34A(1D)(a) of the Army Act 1955 (c. 18)...
10 In section 34A(1D)(a) of the Air Force Act 1955 (c....
11 In section 12A(1D)(a) of the Naval Discipline Act 1957 (c....
12 In section 34(6) of the Police and Criminal Evidence Act...
13 In section 32(8)(a) of the Armed Forces Act 2001 (c....

SCHEDULE 8 — Repeals
Changes to legislation:
Railways and Transport Safety Act 2003 is up to date with all changes known to be in force on or before 11 December 2018. 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.

Changes and effects yet to be applied to:
- Pt. 3 functions no longer exercisable excluded by 2017 asp 4 s. 4
- Pt. 3 functions no longer exercisable excluded by 2017 asp 4 s. 5
- s. 19 word repealed by 2006 c. 48 Sch. 15 Pt. 1(B)
- s. 92-94 power to apply (with modifications) by 2018 c. 5 Sch. 3 para. 6(1)-(3)
- Sch. 4 para. 7(3)(c) words substituted by 2007 c. 15 Sch. 16 para. 14(2)