



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 1

INVESTIGATION OF RAILWAY ACCIDENTS

Introduction

1 Meaning of “railway” and “railway property”

(1) In this Part—

“railway” means a railway or tramway within the meaning given by section 67 of the Transport and Works Act 1992 (c. 42), and

“railway property” means anything which falls within the definition of “light maintenance depot”, “network”, “rolling stock”, “station” or “track” in section 83 of the Railways Act 1993 (c. 43), or which falls within the equivalent of any those definitions in relation to a tramway.

(2) The Secretary of State may by regulations amend this section.

^{F1}(3)

Textual Amendments

F1 S. 1(3) omitted (26.5.2015) by virtue of [Deregulation Act 2015](#) (c. 20), [ss. 54\(3\)](#), 115(3)(e)

Commencement Information

II S. 1 in force at 17.10.2005 by [S.I. 2005/1991](#), [art. 2\(1\)\(2\)\(i\)](#)

2 Meaning of railway accident” and railway incident”

(1) In this Part a reference to a railway accident or railway incident is a reference to an accident or incident which occurs on railway property in so far as it is or may be relevant to the operation of the railway.

Changes to legislation: There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Cross Heading: Introduction. (See end of Document for details)

- (2) The Secretary of State may by regulations—
- (a) make provision about what is to be or not to be treated as an accident or incident for the purposes of this Part;
 - (b) make provision about circumstances in which an accident or incident is to be or not to be treated as being relevant to the operation of a railway for the purposes of this Part;
 - (c) make provision about when an accident is to be treated as serious for the purposes of this Part.
- (3) Regulations under subsection (2) may, in particular, make provision by reference to—
- (a) location;
 - (b) the exercise of a discretion by the Chief Inspector of Rail Accidents or another specified person.
- (4) Regulations under subsection (2) making provision about what is to be treated as an incident may, in particular, include an event or omission which does not cause damage or loss but which might cause damage or loss in different circumstances.

Commencement Information

I2 S. 2 in force at 17.10.2005 by [S.I. 2005/1991](#), [art. 2\(1\)\(2\)\(ii\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Cross Heading: Introduction.