



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 3

BRITISH TRANSPORT POLICE

Regulation of Police Force

46 Conditions of service: Transport Police Conference

- (1) This section applies to action of any of the following kinds—
 - (a) the making by the Authority of regulations under section 36, 37 or 38 about the conditions of service of constables, special constables or cadets,
 - (b) the making by the Secretary of State of regulations under section 42 about the conditions of service of constables, special constables or cadets,
 - (c) the issuing by the Secretary of State of a document under section 29,
 - (d) the taking by the Authority of a decision about the conditions of service of constables, special constables or cadets, and
 - (e) the taking by the Secretary of State of a decision about the conditions of service of constables, special constables or cadets.
- (2) Before taking action to which this section applies the Authority or the Secretary of State shall invite the British Transport Police Federation to nominate a number of individuals, not fewer than two nor more than five, to meet with an equal number of individuals nominated by the Authority to discuss the action proposed.
- (3) Where a group is nominated under subsection (2) the person proposing to act shall, before acting—
 - (a) give the group an opportunity to make recommendations about the proposed action, and
 - (b) have regard to any recommendation made.

Changes to legislation: There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Section 46. (See end of Document for details)

- (4) Where the person proposing to act thinks that a group nominated under subsection (2) is unable to agree recommendations about the proposed action he shall, before acting—
- (a) give the group an opportunity to nominate an individual who is not part of the group to make recommendations about the proposed action,
 - (b) give any person nominated by the group an opportunity to make recommendations about the proposed action, and
 - (c) have regard to any recommendation made.
- (5) Where the person proposing to act thinks that a group nominated under subsection (2) is unable to agree a nomination under subsection (4)(a)—
- (a) the Secretary of State may nominate a person to make recommendations about the proposed action, and
 - (b) the person proposing to act shall, before acting—
 - (i) give any person nominated under paragraph (a) an opportunity to make recommendations about the proposed action, and
 - (ii) have regard to any recommendation made.
- (6) In subsections (4) and (5) a reference to agreement of a group nominated under subsection (2) is a reference to the agreement of—
- (a) a majority of the individuals nominated by the British Transport Police Federation, and
 - (b) a majority of the individuals nominated by the Authority.
- (7) In this section a reference to conditions of service includes a reference to any terms and conditions of employment (including pay and hours of duty).

Commencement Information

II S. 46 in force at 1.7.2004 by S.I. 2004/1572, art. 3(cc)

Changes to legislation:

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