



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 3

BRITISH TRANSPORT POLICE

Information, &c.

61 Inquiry: supplemental

- (1) A person appointed under section 60 may—
 - (a) require evidence to be given on oath, and
 - (b) for that purpose, administer an oath.
- (2) A person appointed under section 60 may not require the production of a document relating to the title of land which is not the property of the Authority.
- (3) A person commits an offence if without reasonable excuse he—
 - (a) fails to comply with a summons under section 60, or
 - (b) obstructs or fails to co-operate with an inquiry under that section.
- (4) A person has a reasonable excuse for failure to comply with a summons if he is not offered payment of the reasonable costs of compliance.
- (5) A person who is guilty of an offence under subsection (3) shall be liable on summary conviction to—
 - (a) a fine not exceeding level 3 on the standard scale,
 - (b) imprisonment for a term not exceeding 51 weeks, or
 - (c) both.
- (6) The Secretary of State may direct the Authority to pay all or part of the costs incurred by a person in connection with an inquiry under section 60.
- (7) A direction under subsection (6) may include provision for taxation of costs.

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to Railways and Transport Safety Act 2003. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (8) In the application of this section in relation to an inquiry held in Scotland subsections (3) and (4) shall have effect as if for “summons” there were substituted “ citation ”.

Commencement Information

I1 S. 61 in force at 1.7.2004 by S.I. 2004/1572, art. 3(rr)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2024/414 art. 5Sch. 1 para. 14](#)