



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 1

INVESTIGATION OF RAILWAY ACCIDENTS

Investigation by Branch

7 Investigations

- (1) The Rail Accident Investigation Branch—
 - (a) shall investigate any serious railway accident,
 - (b) may investigate a non-serious railway accident or a railway incident, and
 - (c) shall investigate a non-serious railway accident or a railway incident if required to do so by or in accordance with regulations made by the Secretary of State.
- (2) For the purposes of subsection (1)(a) a tramway shall not be treated as a railway (despite section 1(1)).
- (3) In investigating an accident or incident the Branch shall try to determine what caused it.
- (4) On completion of an investigation the Branch shall report to the Secretary of State.
- (5) In performing a function in relation to an accident or incident the Branch—
 - (a) shall not consider or determine blame or liability, but
 - (b) may determine and report on a cause of an accident or incident whether or not blame or liability is likely to be inferred from the determination or report.
- (6) The Branch may conduct an investigation and report whether or not civil or criminal proceedings are in progress or may be instituted (but this subsection is without prejudice to the operation of the law of contempt of court).
- (7) The Chief Inspector of Rail Accidents may apply to the High Court or the Crown Court for a declaration that the making of a report in connection with a specified accident

Changes to legislation: There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Section 7. (See end of Document for details)

or incident will not amount to a contempt of court in relation to civil or criminal proceedings which have been or may be instituted in connection with the accident or incident.

- (8) The Chief Inspector of Rail Accidents may reopen an investigation if he believes that significant new evidence may be available.

Commencement Information

II S. 7 in force at 17.10.2005 by [S.I. 2005/1991](#), [art. 2\(1\)\(2\)\(vii\)](#)

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