



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 3

BRITISH TRANSPORT POLICE

General

73 Consequential, transitional and incidental provision

- (1) Schedule 5 (amendments consequential on this Part) shall have effect.
- (2) The Secretary of State may by order make consequential, transitional or incidental provision, or savings, for the purpose of or in connection with a provision of this Part.
- (3) Transitional provision under subsection (2) may, in particular, make provision in connection with the abolition of the police force comprising constables appointed under section 53 of the [British Transport Commission Act 1949 \(c. xxix\)](#) (“the old transport police”); and that provision may include, in particular, provision—
 - (a) for the transfer to the Authority of staff (including, but not limited to, constables) presently employed by the Strategic Rail Authority or by another person in connection with the old transport police;
 - (b) for the transfer to the Authority of property held (whether by the Strategic Rail Authority or by another person) for the purpose of or in connection with the old transport police;
 - (c) for the transfer to the Authority of rights and liabilities arising in connection with the old transport police;
 - (d) for employment to be treated as continuous in the case of staff transferred;
 - (e) for or in relation to the continuity (with or without modifications) of a scheme in respect of pensions, which may include a scheme having effect under an instrument;
 - (f) for provision under paragraph (c) or (e) to be treated as having a specified effect for the purposes of an enactment about pension schemes;

Status: This is the original version (as it was originally enacted).

- (g) for a pension scheme to have effect with specified modifications (which may include the conferring of a discretionary function on the Secretary of State) for the purpose of ensuring or enhancing consistency of treatment in relation to—
 - (i) different classes of employee of the Authority, or
 - (ii) schemes appertaining to different classes of employee of the Authority;
 - (h) treating persons appointed to the old transport police as having been appointed under this Part;
 - (i) for dealing with—
 - (i) the termination of agreements made in respect of the old transport police;
 - (ii) the treatment of rights and liabilities under agreements made in respect of the old transport police by persons who enter into police services agreements with the Authority (whether or not they are required to do so);
 - (j) for the assignment or transfer (under paragraphs (a) to (c)) of property, rights or liabilities that would not otherwise be capable of being assigned or transferred;
 - (k) about the continuity of legal proceedings;
 - (l) to have effect in place of the provision relating to bankruptcy restrictions orders while the enactment conferring power to make those orders has not come into force;
 - (m) in respect of the period (if any) between the coming into force of section 18 and the beginning of the first financial year of the Authority.
- (4) An order under subsection (2) may amend an enactment or instrument.