

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 11: Enforcement of transport legislation

Part 1: Drink and drug driving offences

Application of Road Traffic Act provisions in shipping regime

727. *Paragraphs 14 and 15* provide for the changes made by the Schedule to the enforcement provisions in the RTA to flow through to the shipping regime.
728. *Sections 78 to 80* in Part 4 of the Railways and Transport Safety Act 2003 (the “RTSA”) create a number of drink driving offences applicable to professional staff on and off duty and to non-professionals. The RTSA applies the enforcement provisions of the RTA and the Road Traffic Offenders Act 1988 (the “RTOA”) to the maritime regime by reference. The RTSA also modifies these provisions where appropriate. The amendment in paragraph 14(2) makes it clear that the references in the RTSA to provisions of the RTA and RTOA are ambulatory and so changes to the RTA and RTOA enforcement provisions (for example through the Deregulation Act) also apply to those provisions as applied by the RTSA, unless the contrary intention appears. Paragraph 14 also adds some modifications to the way that the RTA provisions apply in the shipping regime in order to deal with the amendments to the RTA made by the Crime and Courts Act 2013 which are not to flow through to the shipping regime.
729. *Paragraphs 14 and 15* form part of the law of England and Wales, Scotland and Northern Ireland. They will apply, as part of the shipping regime, to United Kingdom ships everywhere, foreign ships in United Kingdom waters and unregistered ships in United Kingdom waters. They will come into force on a day to be appointed by the Secretary of State in a commencement order.