

STATUTORY INSTRUMENTS

2004 No. 1522

TRANSPORT

The British Transport Police (Police Services Agreement) Order 2004

Made - - - - 21st June 2004
Laid before Parliament 23rd June 2004
Coming into force - - 1st July 2004

The Secretary of State, in exercise of the powers conferred upon him by sections 34(1) and 74(1) of the Railways and Transport Safety Act 2003 ^{M1}, and having consulted in accordance with section 34(5) of that Act, hereby makes the following Order:

Marginal Citations

M1 2003 (c. 20).

Citation and commencement

1. This Order may be cited as the British Transport Police (Police Services Agreement) Order 2004 and shall come into force on 1st July 2004.

Requirement to enter into a police services agreement

2.—(1) A person—

(a) who provides railway services in respect of—

- (i) a train used on a network for the purpose of carrying passengers;
- (ii) a train used on a network for the purpose of carrying goods;
- (iii) a light maintenance depot; or
- (iv) a station, and

(b) who has been granted a licence pursuant to section 8 of the Railways Act 1993 ^{M2} authorising him to be the operator of the train, light maintenance depot or station in question, [^{F1}or who has been granted a [^{F2}railway undertaking licence] pursuant to the Railway (Licensing of Railway Undertakings) Regulations 2005 ^{F3}..., in connection with the railway services in question [^{F4}or who holds a relevant European licence].]

shall enter into a police services agreement.

(2) Network Rail, being a person who provides railway services in respect of a network, shall enter into a police services agreement.

(3) In this article “Network Rail” means Network Rail Infrastructure Limited, a private limited company whose registration number is 02904587 and whose registered address is 40 Melton Street, London NW1 2EE ^{F5}....

[^{F6}(4) In this article “relevant European licence” has the meaning given in section 6(2) of the Railways Act 1993.]

Textual Amendments

- F1** Words in art. 2(1)(b) added (28.11.2005) by [The Railway \(Licensing of Railway Undertakings\) Regulations 2005 \(S.I. 2005/3050\)](#), reg. 1(1), **Sch. 1 para. 12(2)**
- F2** Words in art. 2(1)(b) substituted (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **29(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in art. 2(1)(b) omitted (31.12.2020) by virtue of [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **29(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in art. 2(1)(b) inserted (31.1.2022 at 11.00 p.m.) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment\) Regulations 2021 \(S.I. 2021/1105\)](#), regs. 1(3), **13(2)**
- F5** Words in art. 2(3) omitted (31.12.2020) by virtue of [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **29(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Art. 2(4) inserted (31.1.2022 at 11.00 p.m.) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment\) Regulations 2021 \(S.I. 2021/1105\)](#), regs. 1(3), **13(3)**

Modifications etc. (not altering text)

- C1** Art. 2 modified (31.12.2020) by [The Railway \(Licensing of Railway Undertakings\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/700\)](#), regs. 1(2), **41**; 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M2** 1993 c. 43. Section 8 is amended by sections 215, 216 and 274 of, and paragraphs 8 and 10 of Schedule 16, paragraphs 1 and 4 of Schedule 17 and Part IV of Schedule 31 to the [Transport Act 2000 \(c. 38\)](#). Section 8 will be further amended on 5th July 2004 by Section 16(5) of, and paragraphs 1, 3 and 5 of Schedule 2 to, the [Railways and Transport Safety Act 2003 \(c. 20\)](#).

Signed by authority of the Secretary of State for Transport

Tony McNulty
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

1. This order requires a person described in article 2(1) and Network Rail Infrastructure Limited to enter into a police services agreement; (see section 33 of the Railways and Transport Safety Act 2003 which contains provisions about a police services agreement).

2. A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

Changes to legislation:

There are currently no known outstanding effects for the The British Transport Police (Police Services Agreement) Order 2004.