



# Railway Policing (Scotland) Act 2017

## 2017 asp 4

PROSPECTIVE

### *Transitional provision*

#### **6 Limitation on redeployment of constables**

- (1) Subsection (2) applies to a constable of the Police Service of Scotland who—
  - (a) immediately before the transfer date, is a constable of the British Transport Police Force (including any such constable who is, at that time, engaged in service outwith that force), and
  - (b) is transferred to the Police Service of Scotland on the transfer date by or under an enactment.
- (2) A constable to whom this subsection applies—
  - (a) is to be assigned duties that relate to the policing of a railway or railway property, and
  - (b) must not be assigned duties that do not so relate unless it is necessary to meet a special demand on resources for policing.
- (3) If a constable to whom subsection (2) applies is, on the transfer date, engaged in service outwith the Police Service of Scotland, the limitation in subsection (2) is suspended until such time as the service outwith the Police Service of Scotland ends.
- (4) Subsection (2) ceases to apply to a constable if, on or after the transfer date, the constable gives the chief constable written consent to the lifting of the limitation imposed by that subsection.
- (5) In this section—
  - “chief constable” means the chief constable of the Police Service of Scotland,
  - “policing” has the meaning given by section 99 of the Police and Fire Reform (Scotland) Act 2012,
  - “railway” and “railway property” have the meanings given by section 85M of that Act,
  - “transfer date” means the date on which the enactment which transfers the constable to the Police Service of Scotland provides for the transfer to occur.

**Status:**

This version of this cross heading contains provisions that are prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Railway Policing (Scotland) Act 2017,  
Cross Heading: Transitional provision.