

# **RAILWAY POLICING (SCOTLAND) ACT 2017**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### ***Power of entry in respect of railway property***

29. **Section 3** of the Act provides constables of Police Scotland with a new power of entry in relation to specified railway property through the insertion of a new *section 20A* into the 2012 Act. This is in similar terms to the power of entry currently available to constables of the BTP (see section 31(2) of the Railway and Transport Safety Act 2003).
30. The power of entry may be exercised without the need for a constable to have a warrant, and reasonable force may be used to effect entry (if necessary). Property may be entered in exercise of this power only if the property is used for or in connection with the provision of railway services (subsection (1)). The property which may be entered in exercise of this power is specified in subsection (2) and is anything which is or forms part of: a track, a network, a station, a light maintenance depot, or a railway vehicle which is located on or in any of the preceding types of property. No private dwelling may be entered in exercise of this power (subsection (3)).