



Railways Act 1993

1993 CHAPTER 43

PART III

MISCELLANEOUS, GENERAL AND SUPPLEMENTAL PROVISIONS

Safety, emergencies, security etc.

120 Security: enforcement notices.

- (1) Where it appears to the Secretary of State that a person upon whom an instruction has been served has failed, is failing or is likely to fail to comply with that instruction, he may serve on that person a notice (in this section referred to as an “enforcement notice”) containing such provision as the Secretary of State may consider requisite for the purpose of ensuring that the person complies with the instruction and specifying, in particular—
 - (a) the things, or the description of things, which the person is required to do, or refrain from doing, in order to comply with the instruction;
 - (b) the time within which, or after which, the person must do, or refrain from doing, those things; and
 - (c) the period during which the person is to do, or refrain from doing, those things.
- (2) The Secretary of State may vary or revoke an enforcement notice, and any reference in this section to an enforcement notice includes a reference to such a notice as varied under this subsection.
- (3) Where the Secretary of State varies or revokes an enforcement notice under subsection (2) above he shall serve notice of the variation or revocation on the person on whom the enforcement notice in question was served.
- (4) A person who without reasonable excuse fails to do anything required of him by an enforcement notice is guilty of an offence and shall be liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment, to a fine or to a term of imprisonment not exceeding two years, or to both.

***Changes to legislation:** There are currently no known outstanding effects
for the Railways Act 1993, Section 120. (See end of Document for details)*

- (5) No proceedings shall be instituted in England and Wales in respect of an offence under subsection (4) above except by or with the consent of the Secretary of State or the Director of Public Prosecutions.
- (6) Section 119(8) above shall have effect in relation to an enforcement notice as it has effect in relation to an instruction.
- (7) Expressions used in this section and in section 119 above have the same meaning in this section as they have in that section.

Changes to legislation:

There are currently no known outstanding effects for the Railways Act 1993, Section 120.