

These notes refer to the Railways and Transport Safety Act 2003 (c.20) which received Royal Assent on 10 July 2003

RAILWAYS AND TRANSPORT SAFETY ACT 2003

EXPLANATORY NOTES

THE ACT

Part 3 – British Transport Police

Commentary on Sections

Section 18 & Schedule 4: The British Transport Police Authority

64. [Section 18](#) gives effect to Schedule 4. This Schedule deals with membership of the Authority and contains requirements about its proceedings and details about financial matters, including remuneration and pension arrangements.

Membership of the Police Authority

65. The Secretary of State will be responsible for appointing the members of the Authority, including the chairman and vice-chairman. It is envisaged that the Authority will normally consist of 13 members. Paragraph 1 restricts the number of members between 11 and 17, although the Secretary of State may by order change these numbers after consulting with the Authority. Paragraph 2 provides that the Authority's membership should include persons who can provide knowledge and experience of the issues that concern passengers, the railways industry, railways employees and the regions.

Pensions

66. [Paragraphs 24 to 26](#) make provision in relation to pensions. Paragraph 24 enables the Secretary of State to make amendments to the occupational pension scheme for constables of the Authority. The scope of amendments would be limited. The provision intends to enable amendment of the trust documentation for the scheme, to recognise the new status of the Authority and its relationship with the Secretary of State, but not to provide for changing the pension benefit structure or winding up the scheme. Any amendments, on which there would be prior consultation with the scheme trustees, would be consistent with the members' historic protected rights under Schedule 11 to the Railways Act 1993.
67. [Paragraph 25](#) enables the Authority, with the Secretary of State's consent, to set up new arrangements to provide for retirement benefits for staff.