



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 3

BRITISH TRANSPORT POLICE

Police Force

23 Assistant Chief Constables

- (1) The Authority shall appoint at least one assistant Chief Constable.
- (2) An appointment under subsection (1) may be made only—
 - (a) with the approval of the Secretary of State, and
 - (b) in accordance with regulations under section 36.
- (3) The Authority may permit an assistant Chief Constable to perform a function of the Chief Constable—
 - (a) while the Chief Constable and the deputy Chief Constable are unable to act or unavailable, or
 - (b) during a vacancy in the offices of Chief Constable and deputy Chief Constable.
- (4) Permission under subsection (3) may not have effect for a continuous period exceeding three months without the consent of the Secretary of State.
- (5) The Secretary of State may make regulations about the suspension and removal of an assistant Chief Constable.
- (6) Regulations under subsection (5)—
 - (a) may apply (with or without modification) or make provision similar to a provision made by or under the Police Act 1996 (c. 16),
 - (b) may confer a function on the Secretary of State (which may include a discretionary function or a function of requiring the Authority to act),

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- (c) may permit the Secretary of State to delegate a function or to confer a function (which may include a discretionary function) on a person or group, and
 - (d) may make provision about costs.
- (7) Regulations under subsection (5) which deal with a matter addressed by a provision made by or under the Police Act 1996 may differ from that provision only so far as necessary to reflect the structure and circumstances of the Police Force.
- (8) Before making regulations under subsection (5) the Secretary of State shall consult—
- (a) the Authority,
 - (b) the Chief Constable, and
 - (c) such other persons as he thinks fit.

Commencement Information

II [S. 23](#) in force at 1.7.2004 by [S.I. 2004/1572](#), [art. 3\(f\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2024/414 art. 5Sch. 1 para. 14](#)