

SCHEDULES

SCHEDULE 3

TRANSFER OF SAFETY FUNCTIONS

Reports and investigations

- 6 (1) This paragraph applies where, before the commencement of paragraph 4, the Health and Safety Commission directed an inquiry to be held under section 14(2)(b) of the 1974 Act into any accident, occurrence, situation or other matter which the Commission thought it necessary or expedient to investigate—
- (a) for any of the railway safety purposes; or
 - (b) with a view to the making of regulations for any of those purposes.
- (2) Subject to sub-paragraph (3), section 14 of the 1974 Act shall continue to apply in relation to that inquiry after the commencement of paragraph 4 but as if all things done or required to be done by or in relation to the Health and Safety Commission under that section were done or required to be done by or in relation to the Office of Rail Regulation.
- (3) Where the Health and Safety Commission agreed before the commencement of paragraph 4 to exercise its power by virtue of section 14(6)(b) or (c) of the 1974 Act to pay remuneration or expenses to any person in respect of the inquiry or to defray costs of the inquiry—
- (a) the Commission must pay amounts accruing in respect of the agreed matters before the commencement of paragraph 4; and
 - (b) the Office of Rail Regulation must pay amounts so accruing after that time; and paragraph (b) does not affect the power of that Office, in relation to times after the commencement of paragraph 4, to make other payments of remuneration or expenses under section 14(6)(b), or to defray costs under section 14(6)(c).