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STATUTORY INSTRUMENTS

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**2004 No. 2759 (C. 115 )**

**TRANSPORT**

**The Railways and Transport Safety Act  
2003 (Commencement No. 4) Order 2004**

*Made - - - - 25th October 2004*

The Secretary of State, in exercise of the power conferred upon him by section 120(1) of the Railways and Transport Safety Act 2003<sup>(1)</sup> hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Railways and Transport Safety Act 2003 (Commencement No. 4) Order 2004.

(2) In this Order, “the 2003 Act” means the Railways and Transport Safety Act 2003.

**Commencement of provisions**

2.—(1) The following provisions of the 2003 Act shall come into force on 31st October 2004—

(a) section 116 (Schedules 1 and 4: sequestration, &c. in Scotland), in so far as it did not come into force on 5th July 2004; and

(b) sub-section (5) of section 34 (compulsory police services agreement).

(2) Section 110 (seat belts: delivery drivers) shall come into force on 1st March 2005.

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Signed by authority of the Secretary of State for Transport

25th October 2004

*David Jamieson*  
Parliamentary Under Secretary of State  
Department for Transport

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force:

on 31st October 2004, the provisions of sections 34 and 116 of the Railways and Transport Safety Act 2003 (c. 20) not already in force; and

on 1st March 2005, section 110 of that Act..

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Railways and Transport Safety Act 2003 have been brought into force by a commencement order made before the date of this order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 15	5th July 2004	2004/827
Section 16	5th July 2004	2004/827
Section 17	5th July 2004	2004/827
Section 18	1st July 2004	2004/1572
Section 19	1st July 2004	2004/1572
Section 20	1st July 2004	2004/1572
Section 21	1st July 2004	2004/1572
Section 22	1st July 2004	2004/1572
Section 23	1st July 2004	2004/1572
Section 24	1st July 2004	2004/1572
Section 25	1st July 2004	2004/1572
Section 26	1st July 2004	2004/1572
Section 27	1st July 2004	2004/1572
Section 28	1st July 2004	2004/1572
Section 29	1st July 2004	2004/1572
Section 30	1st July 2004	2004/1572
Section 31	1st July 2004	2004/1572
Section 32	1st July 2004	2004/1572
Section 33	1st July 2004	2004/1572
Section 34(1)	19th June 2004	2004/1572
Sections 34(2), 34(3) and 34(4)	1st July 2004	2004/1572

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 35	1st July 2004	2004/1572
Section 36	1st July 2004	2004/1572
Section 37	1st July 2004	2004/1572
Section 38	1st July 2004	2004/1572
Section 39	1st July 2004	2004/1572
Section 40	1st July 2004	2004/1572
Section 41	1st July 2004	2004/1572
Section 42	1st July 2004	2004/1572
Section 43	1st July 2004	2004/1572
Section 44	1st July 2004	2004/1572
Section 45	1st July 2004	2004/1572
Section 46	1st July 2004	2004/1572
Section 47	1st July 2004	2004/1572
Section 48	1st July 2004	2004/1572
Section 49	1st July 2004	2004/1572
Section 50	1st July 2004	2004/1572
Section 51	1st July 2004	2004/1572
Section 52	1st July 2004	2004/1572
Section 53	1st July 2004	2004/1572
Section 54	1st July 2004	2004/1572
Section 55	1st July 2004	2004/1572
Section 56	1st July 2004	2004/1572
Section 57	1st July 2004	2004/1572
Section 58	1st July 2004	2004/1572
Section 59	1st July 2004	2004/1572
Section 60	1st July 2004	2004/1572
Section 61	1st July 2004	2004/1572
Section 62	1st July 2004	2004/1572
Section 63	1st July 2004	2004/1572
Section 64	1st July 2004	2004/1572
Section 65	1st July 2004	2004/1572
Section 66	1st July 2004	2004/1572
Section 67	1st July 2004	2004/1572
Section 68	1st July 2004	2004/1572

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 69	1st July 2004	2004/1572
Section 70	1st July 2004	2004/1572
Section 71	1st July 2004	2004/1572
Section 72	1st July 2004	2004/1572
Section 73	1st July 2004	2004/1572
Section 74	19th June 2004	2004/1572
Section 75	1st July 2004	2004/1572
Section 76	1st July 2004	2004/1572
Section 77	1st July 2004	2004/1572
Section 78	30th March 2004	2004/827
Section 79	30th March 2004	2004/827
Sections 80(4) and 80(5)	30th March 2004	2004/827
Section 81	30th March 2004	2004/827
Section 82	30th March 2004	2004/827
Section 83 for the purposes of bringing into force the part of paragraph 1 of Schedule 7 relating to section 6A(1) of the Road Traffic Act 1988(2) for the purpose of enabling the Secretary of State to approve a device for indicating whether the proportion of alcohol in a person's breath or blood is likely to exceed the limits prescribed in sections 81(1) and 93(2) and (3) of the 2003 Act	29th March 2004	2004/827
Section 83 in so far as it did not come into force on 29th March 2004	30th March 2004	2004/827
Section 84	30th March 2004	2004/827
Section 85	30th March 2004	2004/827
Section 86	30th March 2004	2004/827
Section 87	30th March 2004	2004/827
Section 88	30th March 2004	2004/827
Section 89	30th March 2004	2004/827
Section 90	30th March 2004	2004/827

(2) 1988 c. 52.

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 91	30th March 2004	2004/827
Section 92	30th March 2004	2004/827
Section 93	30th March 2004	2004/827
Section 94	30th March 2004	2004/827
Section 95	30th March 2004	2004/827
Section 96 for the purposes of bringing into force the part of paragraph 1 of Schedule 7 relating to section 6A(1) of the Road Traffic Act 1988 for the purpose of enabling the Secretary of State to approve a device for indicating whether the proportion of alcohol in a person's breath or blood is likely to exceed the limits prescribed in sections 81(1) and 93(2) and (3) of the 2003 Act	29th March 2004	2004/827
Section 96 in so far as it did not come into force on 29th March 2004	30th March 2004	2004/827
Section 97	30th March 2004	2004/827
Section 98	30th March 2004	2004/827
Section 99	30th March 2004	2004/827
Section 100	30th March 2004	2004/827
Section 101	30th March 2004	2004/827
Section 102	30th March 2004	2004/827
Section 103	30th March 2004	2004/827
Section 106	30th March 2004	2004/827
Section 107 for the purposes of bringing into force the part of paragraph 1 of Schedule 7 relating to section 6A(1) of the Road Traffic Act 1988 for the purpose of enabling the Secretary of State to approve a device for indicating whether the proportion of alcohol in a person's breath or blood is likely to exceed the limits prescribed in sections 81(1) and 93(2) and (3) of the 2003 Act	29th March 2004	2004/827

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 107 in so far as it did not come into force on 29th March 2004	30th March 2004	<a href="#">2004/827</a>
Section 109	30th March 2004	<a href="#">2004/827</a>
Section 111	31st October 2003	<a href="#">2003/2681</a>
Section 113	30th March 2004	<a href="#">2004/827</a>
Section 115	31st October 2003	<a href="#">2003/2681</a>
Section 116 for the purposes relating to a person becoming liable to dismissal under paragraph 2(d) of Schedule 1	5th July 2004	<a href="#">2004/827</a>
Section 117	30th March 2004	<a href="#">2004/827</a>
Section 118 so far as it relates to the provisions in Schedule 8 relating to section 11(2) of the Road Traffic Act 1988, section 76(2), of the Road Traffic Offenders Act 1988(3) and section 117 of the Merchant Shipping Act 1995(4)	30th March 2004	<a href="#">2004/827</a>
Section 118 (repeals), so far as it relates to the provisions in Schedule 8 relating to the British Transport Commission Act 1949(5), sections 132 and 133 of, and Schedule 10 to, the Railways Act 1993(6), paragraphs 7 to 10 of Schedule 18 to the Transport Act 2000(7) and the Anti-terrorism, Crime and Security Act 2001(8)	1st July 2004	<a href="#">2004/1572</a>
Section 118 so far as it relates to the provisions in Schedule 8 relating to the House of Commons Disqualification Act 1975(9), sections 15(4A), 15C(3), 21(5) 57B, 74(8) 151(1) of, and Schedule 1	5th July 2004	<a href="#">2004/827</a>

(3) [1998 c. 53.](#)(4) [1995 c. 21.](#)(5) [1949 c.xxix.](#)(6) [1993 3. 43.](#)(7) [2000 c. 38.](#)(8) [2001 c. 24.](#)(9) [1975 c. 24.](#)

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
to, the Railways Act 1993 and section 251(2) of, and paragraph 45 of Schedule 27 to, the Transport Act 2000		
Section 118 in so far as it relates to the provision in Schedule 8 relating to Section 1 of the Railways Act 1993	5th July 2004	<a href="#">2004/1572</a>
Section 119	30th March 2004	<a href="#">2004/827</a>
Schedule 1	5th July 2004	<a href="#">2004/827</a>
Schedule 2	5th July 2004	<a href="#">2004/827</a>
Schedule 3	5th July 2004	<a href="#">2004/827</a>
Schedule 4	1st July 2004	<a href="#">2004/1572</a>
Schedule 5	1st July 2004	<a href="#">2004/1572</a>
Schedule 6	30th March 2004	<a href="#">2004/827</a>
The part of paragraph 1 of Schedule 7 relating to section 6A(1) of the Road Traffic Act 1988 for the purpose of enabling the Secretary of State to approve a device for indicating whether the proportion of alcohol in a person's breath or blood is likely to exceed the limits prescribed in sections 81(1) and 93(2) and (3).	29th March 2004	<a href="#">2004/827</a>
Schedule 7 in so far as it does not come into force on 29 <sup>th</sup> March	30th March 2004	<a href="#">2004/827</a>
Schedule 8 so far as it relates to section 11(2) of the Road Traffic Act 1988, section 76(2) (a) of the Road Traffic Offenders Act 1988 and section 117 of the Merchant Shipping Act 1995.	30th March 2004	<a href="#">2004/827</a>
Schedule 8 so far as it relates to the British Transport Commission Act 1949, sections 132 and 133 of, and Schedule 10 to, the Railways Act 1993, paragraphs 7 to 10 of Schedule 18 to the Transport Act 2000 and the	1st July 2004	<a href="#">2004/1572</a>



<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Anti-terrorism, Crime and Security Act 2001		
Schedule 8 so far as it relates to the House of Commons Disqualification Act 1975, sections 15(4A), 15C(3), 21(5), 57B, 74(8), 151(1) of, and Schedule 1 to, the Railways Act 1993 and section 251(2) of, and paragraph 45 of Schedule 27 to, the Transport Act 2000	5th July 2004	<a href="#">2004/827</a>
Schedule 8 so far as it relates to the Railways Act 1993, Section 1	5th July 2004	<a href="#">2004/1572</a>