

*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**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 4 - Shipping: Alcohol and Drugs**

#### **Commentary on sections**

##### ***Section 91: Territorial application***

120. **Section 91(2) and (3)** ensures that the Scottish common law powers of entry for obtaining evidence are maintained in the case of mariners, as is currently the case for car drivers, train drivers and now aviation personnel who may have committed an alcohol or drug related offence. It disapplies provisions contained in this Act giving the police rights of entry, since these would risk conflicting with the common law powers available in Scotland.