



# Railways and Transport Safety Act 2003

## 2003 CHAPTER 20

### PART 1

#### INVESTIGATION OF RAILWAY ACCIDENTS

##### *Investigation by industry*

#### **10 Requirement to investigate**

- (1) The Chief Inspector of Rail Accidents may direct that any railway accident or railway incident of a specified kind or which occurs in specified circumstances shall be investigated by each person who manages or controls, or participates in managing or controlling, all or any part of railway property—
  - (a) on which the accident or incident takes place, or
  - (b) which is involved in the accident or incident.
- (2) A direction—
  - (a) shall specify the manner in which the investigation is to be conducted, and
  - (b) may make provision for a case where more than one person would be required to conduct an investigation, whether by requiring a joint investigation or by requiring or enabling one or more persons to conduct an investigation on behalf of others.
- (3) A person to whom a direction under subsection (1) applies commits an offence if he fails to comply with it.
- (4) A person guilty of an offence under subsection (3) shall be liable—
  - (a) on summary conviction, to a fine not exceeding the statutory maximum, or
  - (b) on conviction on indictment, to a fine.
- (5) The Chief Inspector shall publish a direction issued by him under subsection (1) in a manner which he considers will bring it to the attention of each person who is likely to be required to comply with it.

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*Status: This is the original version (as it was originally enacted).*

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- (6) But in proceedings against a person for an offence under subsection (3) of failing to comply with a direction it shall not be necessary to prove that he was aware of the direction.
- (7) A direction under subsection (1)—
- (a) may make provision which applies generally or only in specified circumstances,
  - (b) may make different provision for different cases or circumstances, and
  - (c) may be varied or revoked by a further direction.