
STATUTORY INSTRUMENTS

2005 No. 1992

**The Railways (Accident Investigation
and Reporting) Regulations 2005**

Recommendations of the Rail Accident Investigation Branch

12.—(1) The Branch shall address a recommendation contained in a report prepared under regulation 11(2) or (3)—

- (a) to the safety authority; and
- (b) to such other member State, public body or authority as it considers it appropriate to do so by reason of the character of the recommendation.

(2) A public body or authority to whom a recommendation is addressed under paragraph (1) shall, in relation to that recommendation—

- (a) ensure that the recommendation is duly taken into consideration and where appropriate acted upon;
- (b) report to the Branch without undue delay or within such other period, not exceeding twelve months, as may be agreed with the Chief Inspector—
 - (i) giving full details of any measure taken to implement the recommendation;
 - (ii) giving full details of any proposed measure to implement the recommendation and the proposed timetable for securing that implementation; or
 - (iii) giving a full explanation as to why the recommendation is not to be the subject of measures to be taken to implement it; and
- (c) give notice to the Branch if at any time the information provided to the Branch pursuant to sub-paragraph (b) is rendered inaccurate.

(3) The requirement to report under paragraph (2)(b) or to give notice under paragraph (2)(c) shall only apply to the extent that it is reasonably practicable for the authority that is required to report to have the specified information or for it to become aware that the information has been rendered inaccurate.

(4) Having regard to the nature of a recommendation addressed to it, the safety authority may require any person, within such period as the safety authority may [^{F1}reasonably] determine, to—

- (a) take that recommendation into consideration and where appropriate act upon it;
- (b) send to the safety authority—
 - (i) full details of any measure that body has taken to implement the recommendation;
 - (ii) full details of any measure proposed by that body to implement the recommendation and the proposed timetable for securing that implementation; and
 - (iii) a full explanation as to why the recommendation is not to be the subject of a measure to be taken by that body to implement the recommendation; and
- (c) give notice to the safety authority if at any time any information provided to the safety authority under sub-paragraph (b)(ii) above is rendered inaccurate.

Status: Point in time view as at 11/01/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the The Railways (Accident Investigation and Reporting) Regulations 2005, Section 12. (See end of Document for details)

(5) A person who fails to comply with a requirement imposed on him by the safety authority in accordance with paragraph (4) shall be guilty of an offence.

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Textual Amendments

F1 Word in reg. 12(4) inserted (11.1.2006) by The Railways (Accident Investigation and Reporting) (Amendment) Regulations 2005 (S.I. 2005/3261), regs. 1, 2(3)

Status:

Point in time view as at 11/01/2006. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Railways (Accident Investigation and Reporting) Regulations 2005, Section 12.