
STATUTORY INSTRUMENTS

2005 No. 1992

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

Duty of the Rail Accident Investigation Branch to consider representations

13.—(1) Before publishing a report under regulations 11(2) or (3) the Branch shall serve a notice in writing on every person referred to in paragraph (2) of its intention to publish the report, supply a copy of the report or the relevant part of the report to each person and invite each person to make representations to the Branch in response to its contents.

(2) The persons referred to in paragraph (1) are—

- (a) any person whose reputation the Branch considers may be adversely affected by a report, or, if that person is deceased, such person as appears to the Chief Inspector, at the time he proposes to serve notice pursuant to paragraph (1), as best able to represent the interest and reputation of the deceased in the matter; and
- (b) any of the following persons whom the Branch considers to be relevant—
 - (i) the owner of railway property;
 - (ii) a railway industry body, or a manufacturer or supplier of equipment, components or services to an owner of railway property or a railway industry body;
 - (iii) the safety authority;
 - (iv) victims and their relatives;
 - (v) owners of damaged property;
 - (vi) the emergency services involved;
 - (vii) representatives of staff and users of the railways; and
 - (viii) a person falling within the descriptions in sub-paragraphs (b)(i) to (vii) in other member States.

(3) A person upon whom notice is served under paragraph (1) may make representations in response to the report within fourteen days from service of the notice or within such longer period as may be determined by the Chief Inspector.

(4) The Branch shall consider any representations it receives under paragraph (3) and may amend the report in consequence of any such representation.

(5) A person to whom a report or part of a report has been supplied under paragraph (1) shall not disclose its contents without the permission of the Branch.

(6) A person who discloses the contents of a report in contravention of paragraph (5) shall be guilty of an offence.