

## **The British Transport Police Appeals Tribunals Regulations 2015**

Made 10<sup>th</sup> December 2015  
Coming into force 1<sup>st</sup> January 2016

### **Preamble**

The British Transport Police Authority makes the following regulations in exercise of the powers conferred by Sections 36 and 37 of the Railways & Transport Safety Act 2003 (the 2003 Act)<sup>1</sup>.

In accordance with Section 46 of the 2003 Act, the British Transport Police Authority invited the British Transport Police Federation to nominate individuals to meet with an equal number of individuals nominated by the British Transport Police Authority to discuss these Regulations and had regard to the recommendations made by the group.

### **Citation, commencement and interpretation**

#### **1.**

- (1) These Regulations may be cited as the British Transport Police Appeals Tribunal Regulations 2015 and shall come into force on 1<sup>st</sup> January 2016.
- (2) These Regulations extend to Scotland, Wales and England.

### **Revocation and transitional provisions**

#### **2.**

- (1) Subject to the following provisions of this regulation, the British Transport Police Appeals Tribunal Regulations 2008 are revoked.
- (2) Where a complaint or conduct matter came to the attention of an appropriate authority before 1<sup>st</sup> January 2016 nothing in these Regulations shall apply and the British Transport Police Appeals Tribunal Regulations 2008 shall continue to have effect.

### **Application of the Police Appeals Tribunals Rules 2012**

#### **3.**

- (1) Rules 3 to 22 of the Police Appeals Tribunals Rules 2012<sup>2</sup> shall apply to police officers of the British Transport Police force except where specified or modified otherwise by these Regulations.

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<sup>1</sup> Railways and Transport Safety Act 2003, c. 20. Section 36 is amended by paragraph 18 of Schedule 22 to the Criminal Justice and Immigration Act 2008 (c.4). Section 37 is amended by paragraph 19 of Schedule 22 to the Criminal Justice and Immigration Act 2008.

<sup>2</sup> S.I. 2012/2630

## **Interpretation**

### **4.**

- (1) In these regulations the interpretation bears the same meaning as that set out in Rule 3 of the Police Appeals Tribunal Rules 2012 and Schedule 6 of the Police Act 1996 except where stated otherwise in this regulation –
  - (a) “the 1996 Act” means the Police Act 1996;
  - (b) “the 2003 Act” means the Railways and Transport Safety Act;
  - (c) “the chief constable” means the person appointed in accordance with section 21 of the 2003 Act;
  - (d) “chief officer of police” means –
    - (i) In respect of the relevant police force, the chief constable; or
    - (ii) In respect of another police force, the chief officer of police of that force
  - (e) “the Conduct Regulations” means the British Transport Police (Conduct) Regulations 2015;
  - (f) “the Performance Regulations” means the British Transport Police (Performance) Regulations 2015;
  - (g) “relevant local policing body” means the body corporate known as the British Transport Police Authority, established in accordance with section 18 of the 2003 Act;
  - (h) “relevant police force” means the British Transport Police as established and maintained in accordance with section 20 of the 2003 Act
  - (i) “the Police Complaints and Misconduct Regulations” means those regulations as they are applied by the relevant police authority pursuant to any regulations that it may make (or any equivalent provisions that it may make in respect of Scotland)
  - (j) “officer of the police force” means a police officer appointed in accordance with sections 22, 23 and 24 of the 2003 Act

## **Application to the British Transport Police**

### **5.**

- (1) In the provisions of Schedule 6 to the Police Act 1996 that enable the appointment of a police appeals tribunal, any expression which is also used in the Conduct Regulations or the Performance Regulations shall, unless that expression is given a different meaning by paragraph (1), have the same meaning as in those Regulations.
- (2) Where the appellant is a senior officer the respondent shall be a person designated by the police authority.

## **Made by Order of the British Transport Police Authority**

## **EXPLANATORY NOTE**

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

These Regulations revoke the British Transport Police Appeals Tribunals Regulations 2008 (“the 2008 Regulations”) and apply the Police Appeal Tribunals Rules 2012 to the BTP.