



Transport and Works Act 1992

1992 CHAPTER 42

PART II

SAFETY OF RAILWAYS ETC

CHAPTER III

SUPPLEMENTARY

57 Duty to consult.

It shall be the duty of the Secretary of State, before he makes regulations under section 32, 38(2), 41 or 43 above, to consult such organisations as he considers to be representative of persons who will be affected by the regulations.

Modifications etc. (not altering text)

C1 Ss. 57, 58 amended (2.2.1994) by 1993 c. 43, s. 117(5)(6); S.I. 1994/202, art. 2

Commencement Information

II S. 57 wholly in force at 15. 7. 1992 see s. 70 and S.I. 1992/1347, art. 2, Sch.

58 Prosecutions.

No proceedings shall be instituted in England and Wales in respect of an offence under this Part except by or with the consent of the Secretary of State or the Director of Public Prosecutions.

Modifications etc. (not altering text)

C2 Ss. 57, 58 amended (2.2.1994) by 1993 c. 43, s. 117(5)(6); S.I. 1994/202, art. 2

Changes to legislation: There are currently no known outstanding effects for the Transport and Works Act 1992, Chapter III. (See end of Document for details)

Commencement Information

I2 [S. 58](#) wholly in force at 15. 7. 1992 see [s. 70](#) and [S.I. 1992/1347, art. 2, Sch.](#)

59 Offences by bodies corporate etc.

- (1) Where an offence under this Part committed by a body corporate is committed with the consent or connivance of, or is attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body, or a person purporting to act in such a capacity, he as well as the body corporate shall be guilty of the offence.
- (2) In subsection (1) above “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (3) Where, in Scotland, an offence under this Part committed by a partnership or by an unincorporated association other than a partnership is committed with the consent or connivance of, or is attributable to any neglect on the part of, a partner in the partnership or (as the case may be) a person concerned in the management or control of the association, he, as well as the partnership or association, shall be guilty of the offence.

Commencement Information

I3 [S. 59](#) wholly in force at 15. 7. 1992 see [s. 70](#) and [S.I. 1992/1347, art. 2, Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Transport and Works Act 1992, Chapter III.