



Railways and Transport Safety Act 2003

2003 CHAPTER 20

PART 3

BRITISH TRANSPORT POLICE

Police Services Agreements

35 Arbitration by Secretary of State

- (1) This section applies to a dispute between the Authority and a person who has entered into a police services agreement, where the dispute is about the terms, construction or operation of the agreement.
- (2) Either party to the dispute may refer it to the Secretary of State.
- (3) The Secretary of State may—
 - (a) determine the dispute, or
 - (b) nominate a person to determine the dispute.
- (4) The Secretary of State shall determine the procedure to be followed in determining a dispute under this section.
- (5) In particular, the Secretary of State or nominated person shall give each party to the dispute an opportunity to make representations.
- (6) In determining a dispute the Secretary of State or a nominated person may—
 - (a) give a declaration about how a provision of a police services agreement is to be construed or operated;
 - (b) vary the terms of a police services agreement;
 - (c) determine that one party is obliged in accordance with a police services agreement to pay a specified sum, or a sum to be assessed in a specified manner, to the other party;
 - (d) make an order about costs.
- (7) Where a dispute is determined under this section—

Changes to legislation: *There are currently no known outstanding effects for the Railways and Transport Safety Act 2003, Section 35. (See end of Document for details)*

- (a) a party may appeal to the High Court on a point of law;
 - (b) the determination may, with the permission of the High Court, be enforced as if it were a judgment of the High Court (and may, in particular, be enforced by the use of powers in relation to contempt of court).
- (8) Where it is agreed by the parties that Scots law applies to the police services agreement, a reference in subsection (7) to the High Court shall be treated as a reference to the Court of Session.

Commencement Information

II [S. 35](#) in force at 1.7.2004 by [S.I. 2004/1572](#), [art. 3\(r\)](#)

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