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*Changes to legislation: There are currently no known outstanding effects for the Railways Act 2005, Cross Heading: ORR's principal railway safety functions. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 3

#### TRANSFER OF SAFETY FUNCTIONS

##### *ORR's principal railway safety functions*

- 2 (1) It shall be the general duty of the [F1Office of Rail and Road]—
- (a) to do such things and make such arrangements as it considers appropriate for the railway safety purposes; and
  - (b) to assist and encourage persons concerned with matters relevant to any of those purposes to further those purposes.
- (2) It shall be the duty of the [F1Office of Rail and Road]—
- (a) to make such arrangements as it considers appropriate for the carrying out of research in connection with the railway safety purposes and for the publication of the results of such research; and
  - (b) to encourage research by others in that connection.
- (3) It shall be the duty of the [F1Office of Rail and Road]—
- (a) to make such arrangements as it considers appropriate for the provision of training and information in connection with the railway safety purposes;
  - (b) to encourage the provision by others of training and information in that connection; and
  - (c) to make such arrangements as it considers appropriate for securing that the persons mentioned in sub-paragraph (4)—
    - (i) are provided with an information and advisory service with respect to matters relevant to the railway safety purposes;
    - (ii) are kept informed about such matters; and
    - (iii) are adequately advised about them.
- (4) Those persons are—
- (a) government departments;
  - (b) employers;
  - (c) employees;
  - (d) organisations representing employers and employees respectively; and
  - (e) other persons concerned with matters relevant to any of the railway safety purposes.
- (5) It shall be the duty of the [F1Office of Rail and Road] from time to time to submit such proposals as it considers appropriate for the making of regulations for the railway safety purposes to the authorities having power to make regulations for those purposes under any of the relevant statutory provisions.

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- (6) Before submitting proposals under sub-paragraph (5), the [<sup>F1</sup>Office of Rail and Road] must<sup>F2</sup>—
- (a) if the proposals relate to regulations that are relevant to the ONR's purposes (within the meaning of Part 3 of the Energy Act 2013), consult the Office for Nuclear Regulation;
  - (b) in any case, consult—
    - (i) such government departments, and
    - (ii) such other persons,
 as it considers appropriate.]
- (7) Before—
- (a) making regulations for the railway safety purposes independently of any proposals submitted under sub-paragraph (5), or
  - (b) making regulations which give effect to such proposals but with modifications,
- the authority having the power to make the regulations must consult the [<sup>F1</sup>Office of Rail and Road]<sup>F3</sup>and, if the regulations are relevant to the ONR's purposes (within the meaning of Part 3 of the Energy Act 2013), the Office for Nuclear Regulation].
- (8) In this paragraph “employer”, “employee” and “the relevant statutory provisions” have the same meanings as in Part 1 of the 1974 Act (see section 53(1) of that Act).

#### Textual Amendments

- F1** Words in Sch. 3 para. 2 substituted (16.10.2015) by [The Office of Rail Regulation \(Change of Name\) Regulations 2015 \(S.I. 2015/1682\)](#), reg. 1(2), **Sch. para. 3(s)(ii)**
- F2** Words in Sch. 3 para. 2(6) substituted (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), **Sch. 12 para. 84(2)**; [S.I. 2014/251](#), art. 4
- F3** Words in Sch. 3 para. 2(7) inserted (1.4.2014) by [Energy Act 2013 \(c. 32\)](#), s. 156(1), **Sch. 12 para. 84(3)**; [S.I. 2014/251](#), art. 4

#### Commencement Information

- I1** Sch. 3 para. 2 in force at 1.4.2006 by [S.I. 2006/266](#), art. 2(2), **Sch.**

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