
STATUTORY INSTRUMENTS

2002 No. 1166

The Railways (Interoperability) (High-Speed) Regulations 2002

PART VI

Enforcement

Enforcement in Great Britain

31.—(1) It shall be the duty of the Executive to make adequate arrangements for the enforcement of these Regulations in Great Britain and accordingly a reference to the enforcing authority in the provisions applied for those purposes by paragraph (3) shall be construed as a reference to the Executive.

(2) Subject to paragraph (4), the provisions of the 1974 Act specified in paragraph (3) shall apply for the purposes of the enforcement in Great Britain of these Regulations as if they were Health and Safety Regulations for the purposes of that Act, and any function of the Health and Safety Commission under any other provisions of the 1974 Act which is exercisable in relation to any function of the Executive under or in respect of Health and Safety Regulations (including their enforcement) shall be exercisable as if these Regulations were Health and Safety Regulations for the purposes of that Act.

(3) The provisions of the 1974 Act referred to in paragraph (2) are—

- (a) sections 19 to 22 (enforcement);
- (b) sections 23 (provisions supplementary to sections 21 and 22) and 24 (appeal against improvement or prohibition notice);
- (c) section 26 (power to indemnify inspectors); and
- (d) sections 33 to 42 (provisions as to offences).

(4) A failure to discharge a duty placed on the—

- (a) Executive; or
- (b) supervisory authority,

by these Regulations shall not be an offence under section 33(1)(c) of the 1974 Act.