

SCHEDULE

AMENDMENT OF ENACTMENTS

Amendments to the Transport and Works Act 1992

- 1.—(1) The Transport and Works Act 1992(1) is amended as follows.
- (2) In section 41 (approval of works, plant and equipment)—
- (a) in subsection (1), for “his approval” substitute “the approval of a specified authority”;
 - (b) in paragraph (c) of subsection (2), for “Secretary of State”(2) substitute “specified authority”;
 - (c) in subsection (3)—
 - (i) for “Secretary of State” substitute “specified authority”; and
 - (ii) for “he” substitute “it”; and
 - (d) in subsection (7), after the definition of “prescribed systems of guided transport” insert—
““specified authority” means such authority as may be specified in regulations under this section .”.
- (3) In section 45 (directions limiting speeds and loads)—
- (a) in subsection (1), for “Secretary of State”(3) substitute “relevant enforcing authority”;
 - (b) in subsection (4)—
 - (i) for “Secretary of State” substitute “relevant enforcing authority”; and
 - (ii) for “he” substitute “that authority”; and
 - (c) after subsection (6) insert—
“(7) In this section “relevant enforcing authority” means the enforcing authority responsible for the enforcement of the relevant statutory provisions in relation to the mode of transport to which the direction applies.
 - (8) In subsection (7)—
“enforcing authority” has the same meaning as in section 18(7) (a) of the Health and Safety at Work etc. Act 1974;
“relevant statutory provisions” has the same meaning as in that Act.”.

Commencement Information

II Sch. para. 1 in force at 1.4.2006, see [reg. 1](#)

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- (1) [1992 c. 42](#).
- (2) Regulation 10(1) of the Railway Safety (Miscellaneous Provisions) Regulations 1997, [S.I. 1997/553](#), provided that any reference in section 41, (other than sub-section (1)), and 45 of the Transport and Works Act 1992 to the “Secretary of State” was to have effect as if it were a reference to the “Health and Safety Executive”. Paragraph 5 of this Schedule revokes regulation 10(1).
- (3) See footnote (b).

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations applied by [S.I. 2013/1506 reg. 9\(1\)](#)
- Regulations applied by [S.I. 2013/1506 reg. 18\(1\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 2(1) word substituted by [S.I. 2015/51 Sch. 5](#)
- reg. 3(4A) inserted by [S.I. 2017/1075 Sch. 9 para. 7\(2\)\(a\)](#)
- reg. 4(1)(c)(d) and word added by [S.I. 2008/2323 reg. 4\(a\)](#)
- reg. 4(4A) inserted by [S.I. 2013/950 reg. 2\(2\)](#)
- reg. 5A inserted by [S.I. 2014/469 Sch. 3 para. 126\(5\)](#)
- reg. 5A heading words substituted by [S.I. 2015/1682 Sch. para. 10\(o\)](#)
- reg. 5A words substituted by [S.I. 2015/1682 Sch. para. 10\(o\)\(iii\)](#)
- reg. 8 inserted by [S.I. 2013/950 reg. 2\(3\)](#)