



# London Regional Transport Act 1984

## 1984 CHAPTER 32

### PART III

#### MISCELLANEOUS AND GENERAL

##### *Penalty fares*

#### 54 Penalty fares

- (1) This section and the three next following sections have effect in relation to—
  - (a) travel on a bus service to which this section applies ; and
  - (b) travel on a train service to which this section applies ;if an order under section 58 of this Act is for the time being in force with respect to the service in question.
- (2) Subject to subsection (4) below, if at any time during his journey on any bus service to which this section applies on which fare tickets are issued in return for fares paid by persons travelling on that service a person so travelling fails, on being required to do so by an authorised person, to produce any necessary fare ticket for his journey on that service, he shall be liable to pay a penalty fare in respect of that journey.
- (3) Subject to subsection (4) below, if a person travels on any such bus service on which fare tickets are not so issued without paying the fare (if any) properly payable for his journey on that service, or for any part of his journey on that service, he shall be liable to pay a penalty fare in respect of that journey.
- (4) A person shall not be liable to pay a penalty fare—
  - (a) in a case within subsection (2) above, if he had no reasonable opportunity to obtain any necessary fare ticket before the time when he was required to produce such a ticket;
  - (b) in a case within subsection (3) above, if he had no reasonable opportunity to pay the fare in question before the time when he was found to have failed to pay it.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Subject to subsection (6) below, if at any time during his journey on any train service to which this section applies a person travelling on that service fails, on being required to do so by an authorised person, to produce any necessary fare ticket for his journey on that service, he shall be liable to pay a penalty fare in respect of that journey.
- (6) A person shall not be liable to pay a penalty fare by virtue of subsection (5) above if he had no reasonable opportunity to obtain any necessary fare ticket, or a deferred fare authority applicable to his journey or to any relevant part of his journey, at the time when he started to travel.
- (7) A penalty fare payable by any person under this section in respect of any journey shall be an amount equal to—
- (a) the minimum penalty ; or
  - (b) the default fare for the journey multiplied by the multiplier ;
- whichever is the greater; and any such penalty fare shall be payable to the person providing the service in question within the period of twenty-one days beginning with the day following the date on which the journey was completed.
- (8) In subsection (7) above—
- (a) " the minimum penalty " means £5 or such other (lower or higher) sum as the Secretary of State may by order prescribe; and
  - (b) " the multiplier " means ten or such other (lower or higher) figure as the Secretary of State may by order prescribe.
- (9) In any case within subsection (2) or (5) above the default fare for the journey mentioned in subsection (7)(b) above is—
- (a) where the whole of the distance travelled on that journey was not covered by any fare ticket produced by the person in question or by any deferred fare authority or other valid authority to travel, an amount equal to the full fare for the whole of that distance;
  - (b) where any part (but not the whole) of the distance so travelled was not so covered, an amount equal to the full fare for that part of that distance ;
  - (c) where the whole or any part of the distance so travelled was covered by a fare ticket so produced showing payment of a fare appropriate in the case of another category of traveller but lower than the fare properly payable by the person in question for that journey or for the relevant part of that journey, an amount equal to the difference between the fare shown on the ticket and the full fare for that distance or (as the case may be) for that part of that distance; and
  - (d) where both paragraphs (b) and (c) above apply, the aggregate of the amounts applicable under each of those paragraphs.
- (10) In any case within subsection (3) above the default fare for the journey mentioned in subsection (7)(b) above is an amount determined by applying subsection (9) above, taking references (however expressed) to a fare ticket produced by the person in question and the fare shown on any such ticket as references to a fare paid by that person.
- (11) In this section " full fare " means, in relation to the whole or any part of the distance travelled by any person on a journey on any bus or train service to which this section applies, the single ordinary fare payable by an adult for travelling on that service for that distance or (as the case may be) for that part of that distance on a journey corresponding to the one actually taken (but treated, where it covers part only of the

distance travelled on that journey, and also where the whole of the distance so travelled formed part of a journey made partly by way of another service, as a separate journey).

- (12) The liability of any person under this section to pay a penalty fare in respect of any journey is subject to section 57 of this Act.