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STATUTORY INSTRUMENTS

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**1993 No. 780**

**PUBLIC PASSENGER TRANSPORT**

**The British Railways (Penalty Fares)  
Act 1989 (Activating No. 9) Order 1993**

*Made* - - - - - *5th March 1993*

*Coming into force* - - - - - *5th April 1993*

The Secretary of State for Transport, at the request of the British Railways Board and in exercise of the powers conferred on him by section 3 of the British Railways (Penalty Fares) Act 1989<sup>(1)</sup> and of all other enabling powers, hereby makes the following Order:—

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the British Railways (Penalty Fares) Act 1989 (Activating No. 9) Order 1993 and shall come into force on 5th April 1993.

(2) In this Order—

- (a) “the Act” means the British Railways (Penalty Fares) Act 1989;
- (b) “activating order” has the meaning assigned to it in section 3 of the Act;
- (c) any reference to a line on which train services are provided includes a reference to the named stations by which the ends of the line are defined.

**Activation of penalty fares provisions**

2.—(1) Subject to paragraphs (2) and (4) below, sections 4 to 9 of the Act shall have effect in respect of all train services and parts of train services provided by the Board on the lines specified in Part I of the Schedule to this Order.

(2) Save as mentioned in paragraph (3) below, sections 4 to 9 of the Act shall not have effect with respect to any part of a train service in a case where that service commences at a station which is not on a line specified in Part I of the Schedule to this Order.

(3) Nothing in paragraph (2) above affects the application of paragraph (1) above to—

- (a) any part of a train service provided by the Board on the lines so specified where that service commences at a station on a line which—

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- (i) is specified in the Schedule to any other activating order or, where that Schedule is divided into parts, in Part I of that Schedule, and
  - (ii) is connected either directly, or by another line or lines of the description in subparagraph (i) above which are so connected, with a line specified in Part I of the Schedule to this Order;
  - (b) from 16th May 1993, any part of a train service provided by the Board on the lines specified in Part I of the Schedule to this Order where that service commences at a station on the line specified in Part II of the Schedule to this Order.
- (4) Sections 4 to 9 of the Act shall not have effect with respect to any part of a train service, other than a conductor train service, which commences at a station where, at the time of commencement of the part in question of the service, there was no ticket office open for the sale of fare tickets or any facility for the sale of deferred fare authorities.

Signed by authority of the Secretary of State for Transport

5th March 1993

*Roger Freeman*  
Minister of State  
Department of Transport

## SCHEDULE

Article 2

### PART I

The lines specified for the purposes of Article 2(2) are:

- (a) Between Marylebone and Banbury
- (b) Between Marylebone and Aylesbury via Amersham.
- (c) Between Princes Risborough and Aylesbury.

### PART II

The line specified for the purposes of Article 2(3)(b) is:

- (d) Between Banbury and Birmingham Snow Hill via Dorridge.

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order gives effect to the penalty fares provisions contained in sections 4 to 9 of the British Railways (Penalty Fares) Act 1989, with respect to the train services specified in Part I of the Schedule, as from 5th April 1993.