
STATUTORY INSTRUMENTS

2018 No. 366

The Railways (Penalty Fares) Regulations 2018

PART 3

Appeals

Operator requirements

14.—(1) Where, at any time, an operator does not satisfy the appeals requirements the operator must ensure that a collector authorised by the operator does not charge a penalty fare on the operator's behalf.

(2) Where a penalty fare is charged to a person on behalf of an operator and paragraph (4) applies, the person is not liable to pay the penalty fare.

(3) [^{F1}Subject to paragraph (3A),] If the person referred to in paragraph (2) has paid the penalty fare, or part of it, the operator must refund that person the amount paid within the period of 10 working days, beginning with the day on which the operator knows that paragraph (4) applies.

[^{F2}(3A) If a person to whom paragraph (3) applies has paid a penalty fare calculated in accordance with regulation 9(1A) or (4A), or part of such penalty fare, the operator on whose behalf the penalty fare was charged must refund that person any amount paid that exceeds the amount of the full single fare applicable for their journey within the period of 10 working days, beginning with the day on which the operator knows that paragraph (4) applies.]

(4) This paragraph applies if—

- (a) the operator did not satisfy the appeals requirements at the time the penalty fare was charged; or
- (b) there is a time at which the person could appeal under regulation 16, 17 or 18, and at that time the operator does not satisfy the appeals requirements.

(5) An operator “satisfies the appeals requirements” for the purposes of this regulation if the operator has—

(a) made arrangements for—

- (i) an Appeal Panel to consider any appeal under regulations 16 and 17 against a penalty fare charged on its behalf, and
- (ii) a Final Appeal Panel to consider any appeal under regulation 18 against a penalty fare charged on its behalf; and

(b) established and maintained a financial arrangement with the relevant Appeal Panel and the relevant Final Appeal Panel to ensure that all of the costs associated with appeals under regulations 16, 17 and 18 against penalty fares charged on behalf of the operator are paid for by the operator.

Changes to legislation: There are currently no known outstanding effects for the The Railways (Penalty Fares) Regulations 2018, Section 14. (See end of Document for details)

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Textual Amendments

- F1** Words in [reg. 14\(3\)](#) inserted (E.) (23.1.2023) by [The Railways \(Penalty Fares\) \(Amendment\) Regulations 2022 \(S.I. 2022/1094\)](#), regs. 1(b), **8(1)**
- F2** [Reg. 14\(3A\)](#) inserted (E.) (23.1.2023) by [The Railways \(Penalty Fares\) \(Amendment\) Regulations 2022 \(S.I. 2022/1094\)](#), regs. 1(b), **8(2)**
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Commencement Information

- I1** Reg. 14 in force at 6.4.2018, see [reg. 1\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Railways (Penalty Fares) Regulations 2018, Section 14.