
STATUTORY INSTRUMENTS

2018 No. 366

The Railways (Penalty Fares) Regulations 2018

PART 1

Preliminary

Interpretation

3.—(1) In these Regulations—

“the 1994 Regulations” means the Railways (Penalty Fares) Regulations 1994(1);

“Appeal Panel” means a body, which complies with the requirements of regulation 15(1), that considers appeals under regulations 16 and 17 and “the relevant Appeal Panel” means, in relation to an operator, the Appeal Panel that considers appeals under those regulations against penalty fares charged on behalf of that operator;

“Appeal Procedure” means the procedure specified in Schedule 2;

“authorising operator”, in relation to a collector, means the operator that authorised the collector to charge penalty fares under regulations 10(5) or 10(6);

“compulsory ticket area” means any area at a station which a person must not enter or be present in without being able to produce—

(a) a valid travel ticket authorising travel on a train arriving at or departing from that area; or

(b) a platform ticket authorising their entry to or presence in that area;

“Final Appeal Panel” means a body, which complies with the requirements of regulation 15(2), that considers appeals under regulation 18 and “the relevant Final Appeal Panel” means, in relation to an operator, the Final Appeal Panel that considers appeals under that regulation against penalty fares charged on behalf of that operator;

“identification number”, in relation to a collector, means a unique number or alphanumeric code assigned by the authorising operator to the collector for identification purposes;

[^{F1}“in respect of England” means, in relation to railway passenger services, a service which is not a service in respect of which the Welsh Ministers have the power to make penalty fares regulations under section 130(1) of the Railways Act 1993 (read with section 130(1ZA) to (1ZD) of that Act);]

“operator”, in relation to any train, means the person having the management of that train for the time being and, in relation to any station, means the person having the management of that station for the time being, and “operated” shall be construed accordingly;

“penalty fare number” means a number or alphanumeric code which is unique to an individual penalty fare charged on behalf of any operator;

“platform ticket” means a ticket or alternative authorisation which permits a person to enter or be present in a compulsory ticket area otherwise than for the purpose of travel;

“preceding train”, in relation to a train which a person is travelling by, present on or leaving, means any train—

- (a) the person travelled by, as part of the same journey, before changing to that train; and
- (b) which was operated by the same operator as that train;

[^{F2}“time on appeal” means the period beginning with the day on which an appeal is made under regulation 16 and ending on the day on which there is final disposal of or withdrawal of the appeal;]

“travel ticket” means a ticket or other authority which authorises a person to make a journey on a railway passenger service to which these Regulations apply;

“working day” means any day other than—

- (a) a Saturday or a Sunday;
- (b) Christmas Day;
- (c) Good Friday;
- (d) a day which is a bank holiday under the Banking and Financial Dealings Act 1971⁽²⁾ in England and Wales.

(2) In these Regulations—

- (a) any reference to a “valid travel ticket” is a reference to a travel ticket in a person’s possession which is valid for—
 - (i) the day and time of the journey that person is making, has made or intends to make;
 - (ii) the train and route used for that journey;
 - (iii) the age of that person;
 - (iv) use with any rail card in the possession of that person which they are entitled to use for that journey;
 - (v) use in combination with any other travel ticket in the possession of that person which they are entitled to use for that journey; and
 - (vi) the class of travel used by that person; and
- (b) any reference to a person leaving a train includes a person present in or leaving—
 - (i) a station, having left a train arriving at that station; or
 - (ii) a compulsory ticket area, having left a train arriving at that compulsory ticket area.

(3) Where the terms on which a travel ticket is issued require the holder to produce on request any other document⁽³⁾ when using that ticket for travel, any reference in these Regulations to a travel ticket includes such a document.

Textual Amendments

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

Commencement Information

- I1** Reg. 3 in force at 6.4.2018, see [reg. 1\(b\)](#)

(2) [1971 c. 80.](#)

(3) See section 130(12) of the Railways Act [1993 \(c.43\)](#) for the meaning of “document”

Changes to legislation: *There are currently no known outstanding effects for the The Railways (Penalty Fares) Regulations 2018, Section 3. (See end of Document for details)*

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