
STATUTORY INSTRUMENTS

2009 No. 1300

The Nottingham Express Transit System Order 2009

PART 5

PENALTY FARES

Exclusion of double liability

66.—(1) Where a passenger has become liable to pay a penalty fare in respect of any journey (referred to below as “the relevant journey”), no proceedings may be brought against that passenger for either of the offences specified in paragraph (2) before the end of the period mentioned in article 62(1) (amount of penalty fare); and no such proceedings may be brought after the end of that period if—

- (a) the passenger has paid the penalty fare to the promoter before the end of that period; or
- (b) an action has been brought against the passenger for the recovery of that fare.

(2) The offences mentioned in paragraph (1) are—

- (a) any offence under byelaws made under article 53 (power to make byelaws) involving a failure to obtain or produce a fare ticket or general travel authority for the relevant journey; and
- (b) any offence under section 25(3) of the Public Passenger Vehicles Act 1981⁽¹⁾ of contravening or failing to comply with any provision of regulations for the time being having effect by virtue of that section by failing to pay the fare properly payable for the relevant journey or any part of it.

(3) If proceedings are brought against any such passenger for any such offence the liability to pay the penalty fare shall cease and, if it has been paid, the promoter shall be liable to repay to the passenger an amount equal to the amount of that fare.

Commencement Information

II Art. 66 in force at 9.6.2009, see [art. 1](#)

⁽¹⁾ 1981 c. 14.

Changes to legislation:

There are currently no known outstanding effects for the The Nottingham Express Transit System Order 2009, Section 66.