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STATUTORY INSTRUMENTS

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**2017 No. 1214**

**The Blackpool Tramway (Blackpool  
North Extension) Order 2017**

**PART 5**

**PENALTY FARES**

**Exclusion of double liability**

**57.**—(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 53(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 44 (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) (regulation of conduct of passengers) of the Public Passenger Vehicles Act 1981<sup>(1)</sup> 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 person ceases to be liable to pay the penalty fare and, if the person has paid it, the promoter is liable to repay to the passenger an amount equal to the amount of that fare.

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<sup>(1)</sup> 1981 c. 14. Section 25(3) was amended by sections 37 and 46 of the Criminal Justice Act 1982 (c. 48).