



Edinburgh Tram (Line One) Act 2006

2006 asp 7

PART 3

PENALTY FARES

50 Exclusion of double liability

- (1) Where a passenger has become liable to pay a penalty fare in respect of any journey (referred to in this section as “the relevant journey”), no proceedings may be brought against such a passenger for any of the offences mentioned in subsection (2) before the end of the period mentioned in section 45(3) (Penalty fares), and no such proceedings may be brought after the end of that period if—
 - (a) the passenger has paid the penalty fare to the authorised undertaker 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 subsection (1) are—
 - (a) any offence under any byelaws made by the authorised undertaker 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 (c. 14) 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 authorised undertaker shall be liable to repay to the passenger an amount equal to the amount of that fare.