



London Regional Transport (Penalty Fares) Act 1992

1992 CHAPTER xvi

9 Exclusion of double liability

- (1) Where a person has become liable under section 4 or 5 of this Act to pay a penalty fare in respect of any bus or train journey (referred to below as “the relevant journey”), no proceedings may be brought against him for any of the offences specified in subsection (2) below before the end of the period mentioned in section 6 (1) of this Act; and no such proceedings may be brought after the end of that period if—
 - (a) he has paid the penalty fare to the person providing the service on which the requirement to pay that fare was made before the end of that period; or
 - (b) an action has been brought against him for the recovery of that fare.
- (2) The offences mentioned in subsection (1) above are—
 - (a) any offence under section 5 (3) (a) or (b) of the Regulation of Railways Act 1889 (travelling without paying the correct fare with intent to avoid payment) arising from the relevant journey;
 - (b) any offence under byelaws made under section 67 of the Transport Act 1962 (byelaws for railways, etc.) involving a failure to obtain or produce a fare ticket or general travel authority for the relevant journey; and
 - (c) any offence under section 25 (3) of the Public Passenger Vehicles Act 1981 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 person for any such offence, he shall cease to be liable to pay the penalty fare and, if he pays it, the person to whom it is paid shall be liable to repay to him the amount of that fare.