

*Changes to legislation:* There are currently no known outstanding effects for the Channel Tunnel Act 1987, Paragraph 4. (See end of Document for details)

## SCHEDULE 6

### APPLICATION OF RAILWAY REGULATION ENACTMENTS

*Modification of enactments applying to Concessionaires and through service operators*

- 4 (1) In their application to—
- (a) the Concessionaires or any through service operator;
  - (b) any railway of the Concessionaires or any station or other works or premises connected therewith; or
  - (c) any train of the Concessionaires or any through service operator;
- the enactments specified in column (1) of the following table (which create the offences broadly described in column (2) of the table) shall each have effect as if the maximum fine which may be imposed on summary conviction of any offence specified in the enactment were, instead of that specified in column (3) of the table, a fine not exceeding the level specified in column (4) of the table.

The Table

<b>(1)</b> <i>Enactment</i>	<b>(2)</b> <i>Description of offence</i>	<b>(3)</b> <i>Maximum fine otherwise applicable (level on standard scale)</i>	<b>(4)</b> <i>Maximum fine (level on standard scale)</i>
Section 16 of the M1 Railway Regulation Act 1840.	Obstruction of officers of railway company or trespass upon railway.	Level 1	Level 3
Section 17 of the M2 Railway Regulation Act 1842.	Misconduct of persons employed on railways.	Level 1	Level 3
Section 22 of the M3 Regulation of Railways Act 1868.	Provision and improper use of means of communication.	Level 1	Level 2
The M4 Regulation of Railways Act 1889— section 5(1).	Failure to produce ticket, to pay fare or to give name and address.	Level 1	Level 2

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section 5(3).	Travel with intent to avoid payment of fare.	Level 2	Level 3
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(2) In such application—

- (a) section 16 of the Act of 1840 shall have effect as if the court had, as an alternative to imposing a fine, the power to award imprisonment for a period not exceeding one month; and
- (b) section 17 of the Act of 1842 shall have effect as if, instead of the power to award imprisonment for a period not exceeding two months, the court had power to award imprisonment for a period not exceeding three months; and
- (c) section 5(2) of the Act of 1889 (power to arrest passenger who fails to produce ticket and refuses to give his name and address) shall have effect as if after the word “refuses” there were inserted the words “ or fails ”.

**Modifications etc. (not altering text)**

**C1** Sch. 6 para. 4 applied (E.W.S.) (28.11.2005) by [Railways Infrastructure \(Access and Management\) Regulations 2005 \(S.I. 2005/3049\)](#), regs. 1(1), **34** (with reg. 4)

**Marginal Citations**

**M1** 1840 c. 97.  
**M2** 1842 c. 55.  
**M3** 1868 c. 119.  
**M4** 1889 c. 57.

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