

ELIZABETH II



1980 CHAPTER xx

An Act to confer further powers on the Greater Manchester Passenger Transport Executive; and for other purposes. [17th July 1980]

WHEREAS the area of the Greater Manchester Passenger Transport Executive (hereinafter referred to as "the Executive") is the metropolitan county of Greater Manchester:

And whereas it is the general duty of the Executive under the Transport Act 1968 to secure or promote the provision of a properly integrated and efficient system of public passenger transport to meet the needs of their area: 1968 c. 73.

And whereas it is expedient to authorise the Executive to make byelaws relating to their bus undertaking:

And whereas it is expedient to make further provision for the prevention of fare evasion upon the bus services provided by the Executive or on their behalf:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas the Greater Manchester County Council have approved the promotion of the Bill for this Act pursuant to section 10 (1) (xxix) of the Transport Act 1968:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Citation.

1. This Act may be cited as the Greater Manchester Passenger Transport Act 1980.

Interpretation.

2. In this Act, unless the context otherwise requires—

1968 c. 73.

“ bus service ” has the meaning given by section 159 of the Transport Act 1968;

“ contravene ” includes fail to comply;

“ the Executive ” means the Greater Manchester Passenger Transport Executive.

Byelaws relating to premises used for bus undertaking.

3.—(1) The Executive may make byelaws—

(a) regulating the use of premises belonging to or leased by the Executive for, or in connection with, bus services within their area, including premises provided at stations for interchange between road and rail traffic, the maintenance of order on such premises and the conduct of all persons, including their officers and servants, while on such premises;

(b) with respect to the receipt and delivery of goods and the payment of charges with respect to the conveyance, custody or handling of goods; and

(c) for the safe custody and redelivery or disposal of property found in premises belonging to or leased by the Executive for, or in connection with, such bus services and for fixing the charges which may be made in respect thereof.

(2) Without prejudice to the generality of the foregoing subsection, byelaws under subsection (1) (a) above may contain provisions—

(a) with respect to interference with, or obstruction of, premises or facilities provided in connection with such bus services;

(b) with respect to the use of tobacco or other substances and the prevention of nuisances;

(c) for regulating the passage of bicycles and other vehicles on footways and other premises controlled by the Executive and intended for the use of persons on foot.

(3) Any byelaws made under this section may provide that any person contravening them shall be liable on summary conviction to a fine not exceeding £200.

(4) Without prejudice to the taking of proceedings under subsection (3) above, if the contravention of any byelaws having effect under this section is attended with danger or annoyance to the public, or hindrance to the Executive in the lawful conduct of bus services, it shall be lawful for the Executive summarily to take action to obviate or remove the danger, annoyance or hindrance.

(5) The provisions of subsections (5) to (11) of section 67 of the Transport Act 1962 shall apply to any byelaws made by the Executive under this section as if for references to the board, or to the board in question, there were substituted references to the Executive. 1962 c. 46.

4.—(1) On and after the appointed day, where a person travels in a public service vehicle operated by, or on behalf of, the Executive or by a subsidiary of the Executive on any bus service beyond the distance for which he has paid the fare he shall, unless before being requested to do so he has tendered the fare for the excess portion of his journey, be liable to pay (within the period of twenty-one days next following the date of his journey) in respect of that portion, a fare (in this section referred to as "an excess fare") of fifty pence or five times the fare which would, apart from this subsection, be chargeable in respect of that portion as a separate journey (whichever is the greater): Excess fares.

Provided that the Executive shall not seek to recover the amount of any excess fare from any person where the facts which would otherwise have given rise to a liability to pay such a fare are, so far as is relevant, the same as the facts which have given rise to prosecution of that person in respect of an alleged offence under regulation 11 of the Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) Regulations 1936 and he has been acquitted. S.R. & O. 1936/619.

(2) For the purposes of subsection (1) above, a person shall be deemed to have tendered a fare if he presents it to the conductor; in the case of a public service vehicle operated by a driver without a conductor, to the driver or otherwise indicates to the conductor or driver, as the case may be, his willingness to pay the fare for the excess portion of his journey.

(3) No person shall be liable under subsection (1) above to pay any fare in respect of the excess portion of a journey unless at the material time a notice warning persons that if they exceed the

journey for which they have paid the fare they will be liable to pay an excess fare in accordance with that subsection is posted on each deck of the public service vehicle in question so as to be readily seen by members of the public using the vehicle.

S.R. & O.

1936/619.

(4) No proceedings shall be taken under regulation 11 of the Public Service Vehicles (Conduct of Drivers, Conductors and Passengers) Regulations 1936 against any person where the facts which would otherwise have given rise to a prosecution of that person are, so far as is relevant, the same as the facts which have given rise to a liability to pay an excess fare in accordance with subsection (1) above and—

(a) the excess fare has been paid by him to the Executive within the period mentioned in subsection (1) above;

(b) the amount of the excess fare is payable by him under the judgment of the county court.

(5) (a) In this section “the appointed day” means such day as may be fixed in accordance with paragraph (b) below by a resolution of the Executive.

(b) The Executive shall publish in a newspaper circulating in the metropolitan county of Greater Manchester notice of the passing of any such resolution and of the day fixed thereby and the day so fixed shall not be earlier than the expiration of twenty-eight days from the date of the publication of the notice.

(c) A photostatic or other reproduction certified by the Secretary of the Executive to be a true reproduction of a page, or part of a page, of any newspaper bearing the date of its publication and containing the notice mentioned in paragraph (b) above shall be evidence of the publication of the notice and of the date of publication.

Application of section 4 in case of companies holding road service licences.

1948 c. 38.

Costs of Act.

5. The provisions of section 4 (Excess fares) of this Act shall not apply to a person making a journey on a public service vehicle operated by any company (within the meaning of the Companies Act 1948) unless so agreed between that company and the Executive by an agreement approved by a special resolution of that company.

6. All costs, charges and expenses of, and incidental to, the preparing for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Executive and may, in whole or in part, be defrayed out of revenue.

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