
STATUTORY INSTRUMENTS

1992 No. 2323

PUBLIC PASSENGER TRANSPORT

**The British Railways (Penalty Fares)
Act 1989 (Activating No.4) Order 1992**

Made - - - - 17th September 1992

Coming into force - - 19th October 1992

The Secretary of State for Transport, at the request of the British Railways Board and in exercise of the powers conferred on him by section 3 of the British Railways (Penalty Fares) Act 1989(1) and of all other enabling powers, hereby makes the following Order:—

Citation and commencement

1.—(1) This Order may be cited as the British Railways (Penalty Fares) Act 1989 (Activating No.4) Order 1992 and shall come into force on 19th October 1992.

(2) In this Order—

- (a) “the Act” means the British Railways (Penalty Fares) Act 1989;
- (b) “activating order” has the meaning assigned to it in section 3 of the Act;
- (c) any reference to a line on which train services are provided includes a reference to the named stations by which the ends of the line are defined.

Activation of penalty fares provisions

2.—(1) Subject to paragraphs (2) and (4) below, sections 4 to 9 of the Act shall have effect in respect of all train services and parts of train services provided by the Board on the lines specified in Schedule to this Order

(2) Save as it is mentioned in paragraph (3) below, sections 4 to 9 of the Act shall not have effect with respect to any part of a train service in a case where that service commences at a station which is not on a line specified in the Schedule to this Order.

(3) Nothing in paragraph (2) above affects the application of paragraph (1) above to any part of a train service provided by the Board on the lines so specified where that service commences at a station on the line which—

- (a) is specified in Part I of the Schedule to any other activating order, and

(1) 1989 c.xvii.

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(b) is connected either directly, or by another line or lines of the description in subparagraph (a) above which are so connected, with a line specified in the Schedule to this Order.

(4) Sections 4 to 9 of the Act shall not have effect with respect to any part of a train service, other than a conductor train service, which commences at a station where, at the time of commencement of the part in question of the service, there was no ticket office open for the sale of fare tickets or any facility for the sale of deferred fare authorities.

3. The British Railways (Penalty Fares) Act 1989 (Activating No.1) Order 1990(2) is hereby revoked.

Signed by authority of the Secretary of State for Transport

17th September 1992

Roger Freeman
Minister of State,
Department of Transport

SCHEDULE

Article 2

The specified lines are;—

- (a) Between Liverpool Street and Ipswich.
- (b) Between Colchester and Walton-on-Naze.
- (c) Between Thorpe-le-Soken and Clacton.
- (d) Between Marks Tey and Sudbury.
- (e) Between Witham and Braintree.
- (f) Between Shenfield and Southend Victoria.
- (g) Between Wickford and Southminster.
- (h) Between Romford and Upminster.
- (i) Between Colchester and Colchester Town.
- (j) Between Hythe and Colchester Town.
- (k) Between Forest Gate and Barking.
- (l) Between Limehouse and Stratford.
- (m) Between Manningtree and Harwich Town.
- (n) Between Fenchurch Street and Shoeburyness via Upminster.
- (o) Between Barking and Pitsea via Tilbury Town.
- (p) Between Upminster and Grays.
- (q) Between Tilbury Town and Tilbury Riverside.
- (r) Between East Tibury and Tilbury Riverside.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to the penalty fares provisions contained in section 4 to 9 of the British Railways (Penalty Fares) Act 1989, with respect to the train services specified in the Schedule, as from 19th October 1992.

The train services covered by the British Rail (Penalty Fares) Act 1989 (Activating No.1) Order 1990 are included in this Order. The British Rail (Penalty Fares) Act 1989 (Activating No.1) Order 1990 is hereby revoked.