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STATUTORY INSTRUMENTS

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**2018 No. 366**

**The Railways (Penalty Fares) Regulations 2018**

**PART 2**

**Penalty Fares**

**Recovery of penalty fare as a civil debt**

**12.**—(1) Where a person charged a penalty fare under regulation 5(1) has not paid the penalty fare in full, the operator on whose behalf the penalty fare was charged may recover the amount outstanding as a civil debt in any of the following circumstances—

- (a) the person did not appeal under regulation 16 against the penalty fare within the 21 day period provided for by regulation 16(1)(a);
- (b) the person—
  - (i) appealed under regulation 16 within that period;
  - (ii) the relevant Appeal Panel notified the person that it had not allowed the appeal;
  - (iii) the relevant Appeal Panel adhered to the time period specified in paragraph 6 of Schedule 2; and
  - (iv) the person did not appeal under regulation 17 against that decision within the 14 day period provided for by regulation 17(1)(a);
- (c) the person—
  - (i) appealed under regulation 17 within that period;
  - (ii) the relevant Appeal Panel notified the person that it had not allowed the appeal;
  - (iii) the relevant Appeal Panel adhered to the time period specified in paragraph 6 of Schedule 2; and
  - (iv) the person did not appeal under regulation 18 against that decision within the 14 day period provided for by regulation 18(1)(a); or
- (d) the person—
  - (i) appealed under regulation 18 within that period;
  - (ii) the relevant Final Appeal Panel notified the person that it had not allowed the appeal; and
  - (iii) the period of 14 days, beginning with the day following the day on which the notice of that decision was received, has elapsed.