

SCHEDULE 1

Regulations 8 and 10

Notices and Identification

PART 1

Notices

Standard notice

1.—(1) A standard notice must contain—

- (a) the penalty fares logo as shown in Part 3;
- (b) the word “WARNING” in large, prominent text at the top of the notice;
- (c) the wording “Please buy your ticket before you travel otherwise you may be charged a Penalty Fare”;
- (d) the wording “A Penalty Fare is £20 or twice the full single fare applicable to your journey (whichever is greater)”;
- (e) wording which indicates where information about the circumstances in which a person may be charged a penalty fare in relation to travel by, presence on or leaving a train is published or may be obtained; and
- (f) the logo, and name if the logo does not contain the name, of each operator that charges penalty fares in relation to trains arriving at or departing from the area of the station to which the notice applies.

(2) The absence of a logo or name, as required by sub-paragraph (1)(f), on a notice only invalidates the notice in relation to the operator whose logo or name is missing.

Compulsory ticket area notice

2.—(1) A compulsory ticket area notice must contain—

- (a) the penalty fares logo as shown in Part 3;
- (b) the word “WARNING” in large, prominent text at the top of the notice;
- (c) the wording—
 - (i) “You are about to enter a Compulsory Ticket Area”;
 - (ii) “You must have a platform ticket or valid travel ticket before passing this point”; and
 - (iii) “Otherwise you may be charged a Penalty Fare”;
- (d) the wording “A Penalty Fare is a minimum of £20. If you intend to travel, a Penalty Fare is £20 or twice the full single fare applicable to your journey (whichever is greater)”;
- (e) wording which indicates where information about the circumstances in which a person may be charged a penalty fare for being in or leaving a compulsory ticket area is published or may be obtained; and
- (f) the logo, and name if the logo does not contain the name, of each operator that charges penalty fares in relation to trains arriving at or departing from the compulsory ticket area.

(2) The absence of a logo or name, as required by sub-paragraph (1)(f), on a notice only invalidates the notice in relation to the operator whose logo or name is missing.

PART 2

Identification for Collectors

3. Identification issued to a collector (“the collector”) must contain—
 - (a) the penalty fares logo as shown in Part 3;
 - (b) the logo, and name if the logo does not contain the name, of the authorising operator;
 - (c) a photograph of the collector;
 - (d) the identification number of the collector;
 - (e) the following wording—

“The person identified by this card is a collector for [*name of authorising operator*] under the Railways (Penalty Fares) Regulations 2018”; and
 - (f) the signature of the person who, on behalf of the authorising operator, authorised the collector.

PART 3

Penalty Fares Logo



SCHEDULE 2

Regulations 15, 16, 17 and 18

Appeal Procedure

1. An appeal must be made in writing and may be sent to the address of the relevant Appeal Panel or, as the case may be, the relevant Final Appeal Panel by—
 - (a) sending it by prepaid post;
 - (b) sending it by electronic transmission;
 - (c) delivering it to or otherwise leaving it at that address; or
 - (d) by any other means specifically authorised by the relevant Appeal Panel or, as the case may be, the relevant Final Appeal Panel.
2. Any reference in these Regulations to a period of time within which a person may make an appeal is a reference to the time within which the appeal must be received by the relevant Appeal Panel or, as the case may be, the relevant Final Appeal Panel.
3. An appeal or a decision notice sent by post is to be presumed, unless the contrary is proved, to have been received on the second working day after the day on which it is posted.
4. An appeal under regulation 16 must contain the following particulars—

- (a) the name and address of the appellant;
 - (b) the penalty fare number;
 - (c) a statement setting out which one or more of the appeal grounds specified in regulation 16(3) is relied on;
 - (d) a statement setting out any representations made in relation to any of the matters specified in regulation 16(5).
- 5.** An appeal under regulation 16 may contain any other relevant information.
- 6.** Where an Appeal Panel receives an appeal under regulation 16 or 17, it must decide whether to allow or not allow the appeal before the end of the period of 21 days beginning with the day on which the appeal is received.
- 7.** When an Appeal Panel notifies its decision to allow or not allow an appeal under regulation 16 or 17, it must—
- (a) do so in writing to both the operator concerned and the appellant;
 - (b) give reasons for its decision;
 - (c) if the appeal was received by post, notify its decision by post to the postal address the appellant has provided;
 - (d) if the appeal was received by electronic transmission, notify its decision either by electronic transmission to the email address used by the appellant to submit the appeal or by post to the postal address the appellant has provided.
- 8.** Where an Appeal Panel notifies its decision not to allow an appeal under regulation 16 it must provide the appellant with a statement that—
- (a) the person has the right to appeal against the decision to the relevant Appeal Panel;
 - (b) that the appeal would be considered by a different person at the relevant Appeal Panel;
 - (c) if the appeal was unsuccessful the person would have the right to appeal to the relevant Final Appeal Panel; and
 - (d) the operator will be entitled to commence court proceedings to recover the penalty fare if the appellant does not—
 - (i) appeal the decision to the relevant Appeal Panel within the 14 day period provided for by regulation 17(1)(a); or
 - (ii) pay the penalty fare within that period.
- 9.** An appeal under regulation 17 must contain—
- (a) the particulars specified in paragraph 4; and
 - (b) a statement explaining the reason or reasons for the appeal against the decision to not allow the appeal under regulation 16.
- 10.** An appeal under regulation 17 may contain any other relevant information.
- 11.** Where an Appeal Panel receives an appeal under regulation 17, the appeal must be considered by, and the decision to allow or not to allow the appeal must be made by, a different person to the person who decided not to allow the appeal under regulation 16.
- 12.** Where an Appeal Panel notifies its decision not to allow an appeal under regulation 17 it must provide the appellant with a statement that—
- (a) the person has the right to appeal against the decision to the relevant Final Appeal Panel; and

Status: This is the original version (as it was originally made).

- (b) the operator will be entitled to commence court proceedings to recover the penalty fare if the appellant does not—
 - (i) appeal the decision to the relevant Final Appeal Panel within the 14 day period provided for by regulation 18(1)(a); or
 - (ii) pay the penalty fare within that period.
- 13.** An appeal under regulation 18 must contain—
 - (a) the particulars specified in paragraph 4; and
 - (b) a statement explaining the reasons for the appeal against the decision to not allow the appeal under regulation 17.
- 14.** An appeal under regulation 18 may contain any other relevant information.
- 15.** Where a Final Appeal Panel receives an appeal under regulation 18—
 - (a) the appeal must be considered by, and the decision to allow or not to allow the appeal must be made by, a panel comprising three decision makers;
 - (b) the panel referred to in sub-paragraph (a) must not contain any person who was involved in the decision in respect of the appeal under regulation 16 or 17;
 - (c) every decision maker referred to in sub-paragraph (a) must give a decision on the appeal; and
 - (d) the relevant Final Appeal Panel must decide whether to allow or not to allow the appeal before the end of the period of 21 days beginning with the day on which the appeal is received.
- 16.** If the decision makers referred to in paragraph 15(a) cannot reach a unanimous decision to allow, or not allow, an appeal the decision may be made by a majority of those decision makers.
- 17.** When a Final Appeal Panel notifies its decision to allow or not allow an appeal, it must—
 - (a) do so in writing to both the operator concerned and the appellant;
 - (b) give reasons for its decision;
 - (c) if the appeal was received by post, notify its decision by post to the postal address the appellant has provided;
 - (d) if the appeal was received by electronic transmission, notify its decision either by electronic transmission to the email address used by the appellant to submit the appeal or by post to the postal address the appellant has provided.
- 18.** Where a Final Appeal Panel notifies its decision not to allow an appeal under regulation 18, it must provide the appellant with a statement that if the appellant does not pay the penalty fare within the period of 14 days, beginning with the day on which the appellant receives the panel’s decision, the operator will be entitled to commence court proceedings to recover the penalty fare.