



Midland Metro (Penalty Fares) Act 1991

1991 CHAPTER ii

9 Exclusion of double liability

- (1) Where a person has become liable to pay a penalty fare in respect of any journey (referred to below as “the relevant journey”), no proceedings may be brought against him for any of the offences specified in subsection (2) below before the end of the period mentioned in section 5 (1) of this Act; and no such proceedings may be brought after the end of that period if—
 - (a) he has paid the penalty fare to the Executive before the end of that period; or
 - (b) an action has been brought against him for the recovery of that fare.
- (2) The offences mentioned in subsection (1) above are—
 - (a) any offence under byelaws made under section 49 of the Midland Metro Act 1989 involving a failure to obtain or produce a fare ticket or general travel authority for the relevant journey;
 - (b) any offence under section 25 (3) of the Public Passenger Vehicles Act 1981 of contravening or failing to comply with any provision of regulations for the time being having effect by virtue of that section by failing to pay the fare properly payable for the relevant journey or any part of it; and
 - (c) any offence under section 5 (3) (a) or (b) of the Regulation of Railways Act 1889 (travelling without paying the correct fare with intent to avoid payment) arising from the relevant journey.
- (3) If proceedings are brought against any such person for any such offence he shall cease to be liable to pay the penalty fare and, if he has paid it, the Executive shall be liable to repay to him an amount equal to the amount of that fare.