

Midland Metro Penalty Fares Order

Transport and Works Act 1992
The Transport and Works
(Applications and Objections Procedure)
(England and Wales) Rules 2006



**Explanatory
Memorandum**

TRANSPORT AND WORKS ACT 1992

**TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS
PROCEDURE) (ENGLAND AND WALES) RULES 2006**

THE MIDLAND METRO (PENALTY FARES) ORDER

EXPLANATORY MEMORANDUM

This memorandum explains the purpose and effect of each article and schedule in the draft Order, as required by Rule 10(2)(b) of the Transport and Works (Applications and Objections Procedure)(England and Wales) Rules 2006 (S.I. 2006 No.1466).

Application for the Order has been made by West Midlands Combined Authority (“the Executive”), which is the successor body to the West Midlands Passenger Transport Executive. The Order would confer power on the Executive to prescribe the level of penalty fare by order.

PART 1

PRELIMINARY

Part 1 contains preliminary provisions

Article 1 (*Citation and commencement*) provides for the citation and the coming into force of the Order.

Article 2 (*Interpretation*) contains provisions for the interpretation of words and phrases used in the Order.

PART 2

PENALTY FARES

Article 3 (*application of the 1991 Act*) is not in the model clauses. It provides for the application of the Midland Metro (Penalty Fares) Act 1991 and the amendment of clause 5 of that Act to empower the Executive to change the penalty fare by publication of a notice in the local newspaper(s) circulating in each area where passengers may get on and off Metro vehicles, following consultation with the Secretary of State and certain other bodies. The amount of the penalty fare may not exceed the maximum amount for which a person failing to comply with the requirements of section 8(1) (supplementary provisions) may be liable on summary conviction. The Order also provides for the Executive to alter the period for payment of the penalty fine and for a reduction in the amount of the penalty fare if paid within a shorter period.