

METRO BYELAWS

Made under Sections 58 and 62 of the Tyneside Metropolitan Railway Act 1973 and confirmed by the Secretary of State for the Environment, Transport and the Regions on 19 December 2000 for regulating the use and working of, and travel on, or by means of the rapid transit railway (the Metro), the maintenance of order on the Metro and the conduct of all persons while on the Metro.

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BYELAWS

BYELAWS - WHY THEY HELP US TO HELP YOU

Britain's Railways cover every train, track and station, including London's Underground, across the country. Thousands of trains use as many stations throughout the day and night. To ensure ease of travel and safety for every part of the Railway system, including passengers, staff, property and equipment, the Bye-Laws need to be observed by everyone.

Conduct and behaviour

Some practices can be generally unpleasant, or can be dangerous to yourselves and others. To make travelling more comfortable and safer, unacceptable behaviour is banned on the Railways. Other activities, such as smoking and music have limits imposed on them so that the majority of Railway users travel in comfort.

Equipment and safety

Safety is paramount to the running of all railway services. The Byelaws are very clear on matters of safety - and this protects equipment and property, as well as users and staff.

Control of premises

There are areas across the railway system that have to be restricted access, for example pedestrian-only areas, as using other forms of transport (eg bicycles), may cause a danger. Also, access is not allowed on any non-public parts of an operating network, such as railway embankments. Various rules relating to carriage of animals are also needed.

Travel and fares

When travelling you need to know when and where you need a ticket, and where you can go once you have it. For example; can you break your journey, or use another person's ticket? If you would like to know more, in addition to the Byelaws there are further details for passengers in the conditions of travel which apply to your ticket.

The Byelaws are there to help everyone to travel easily and safely. This can only be achieved if all users take time to consider their actions and observe the Byelaws.

A full copy of the Metro Byelaws can be obtained from:

Nexus
(Tyne and Wear Passenger Transport Executive)
Nexus House
33 St James Boulevard
NEWCASTLE UPON TYNE
NE1 4AX

METRO BYELAWS

FOR DEFINITIONS OF THE TERMS USED IN THESE BYELAWS PLEASE REFER TO BYELAW 33 AT THE END OF THIS DOCUMENT

CONDUCT AND BEHAVIOUR

1. Queuing

- (1) The Operator or an authorised person may require any person to queue in order to regulate order or safety on or near the Metro.
- (2) Any person directed by a notice to queue or when asked to queue by an authorised person, shall join the rear of the queue and obey the reasonable instructions of any authorised person regulating the queue.

2. Potentially dangerous items

- (1) Except with written permission from the Operator or an authorised person, no person shall bring with him or allow to remain on the Metro any item which, in the opinion of an authorised person, may threaten, annoy, soil or damage any person or any property. For the avoidance of doubt, the Operator may ban, amongst other things, carriage of the following items:-
 - (i) a loaded weapon of any kind;
 - (ii) any inflammable, explosive or corrosive substance;
 - (iii) any item which is or may become dangerous.
- (2) If any person in charge of an item in breach of Byelaw 2(1) is asked by an authorised person to remove it and fails to do so immediately, then it may be removed by or under the direction of an authorised person.

3. No smoking

No person shall smoke or carry a lighted pipe, cigar, cigarette, match, lighter or other lighted item on any part of the Metro on or near which there is a notice indicating that smoking is not allowed.

4. Intoxication and possession of intoxicating liquor

- (1) No person in a state of intoxication shall enter or remain on the Metro.
- (2) Where reasonable notice is, or has been given prohibiting intoxicating liquor on any train service, no person shall have any intoxicating liquor with him on it, or attempt to enter such train with intoxicating liquor with him.
- (3) Where an authorised person reasonably believes that any person is in a state of intoxication or has with him intoxicating liquor contrary to this Byelaw, the authorised person may:
 - (i) require him to leave the Metro; and
 - (ii) prevent him entering or remaining on the Metro until the authorised person is satisfied that he has no intoxicating liquor with him.

5. Unfit to be on the Metro

No person shall enter or remain on the Metro if, in the reasonable opinion of an authorised person he is in an unfit or improper condition or his clothing may soil or damage any part of the Metro or the clothing of any person.

6. Unacceptable behaviour

- (1) No person shall use any threatening, abusive, obscene or offensive language.
- (2) No person shall behave in a disorderly, indecent or offensive manner.
- (3) No person shall write, draw, paint or fix anything on the property of the Metro.
- (4) No person shall soil any part of the Metro.
- (5) No person shall damage or detach any property on the Metro.
- (6) No person shall spit.
- (7) No person shall drop litter or dump waste.
- (8) No person shall molest or wilfully interfere with the comfort or convenience of any person on the Metro.

7. Music, sound, advertising and carrying on a trade

- (1) Except with written permission from the Operator no person on the Metro shall:
 - (i) sing; or
 - (ii) use any instrument, article or equipment for the production or reproduction of sound.
- (2) Except with written permission from the Operator no person on the Metro shall:
 - (i) display anything for the purpose of advertising or publicity, or distribute anything; or
 - (ii) sell or expose or offer anything for sale; or
 - (iii) tout for, or solicit money, reward, custom or employment of any kind.
- (3) A person shall have the written permission referred to in this Byelaw 7 with him when undertaking the activities referred to in Byelaw 7(1) or 7(2)(iii) on the Metro and shall hand it over for inspection when asked by an authorised person. A person shall comply with any conditions attached to the written permission.

8. Unauthorised gambling

No person shall gamble on any part of the Metro except lawful gambling on premises authorised by the Operator for that purpose.

EQUIPMENT AND SAFETY

9. Stations and Metro premises

- (1) No person shall use any escalator except by standing or walking on it in the direction intended for travel.
- (2) Where the entrance to or exit from any platform or station is via an automatic barrier no person shall enter or leave the station, except with permission from an authorised person, without passing through the barrier in the correct manner.
- (3) No person shall open a barrier or any other gate on the Metro except where there is a notice indicating that it may be used by him or with permission from an authorised person.
- (4) Where there is a notice by an entrance or exit on any part of the Metro indicating that it shall be used for entrance or exit only, no person shall enter by the exit or leave by the entrance. No person shall enter or leave by an emergency exit except in an emergency or when directed to do so by an authorised person.
- (5) No person shall move, operate or stop any lift or escalator except:
 - (i) in an emergency by means of equipment on or near which is a notice indicating that it is intended to be used in an emergency; or
 - (ii) in case of a lift, by means of the controls intended for the use of passengers.

10. Trains

- (1) No person shall enter through any train door until any person leaving by that door has passed through.
- (2) No person shall be in or on any train except on the parts of it intended for the use of that person.
- (3) No person shall open a train door, or enter or leave any train while it is in motion or between stations.
- (4) No person shall enter or leave a train except by proper use of a train door.
- (5) In the case of automatic closing train doors, no person shall enter or leave by the door when it is closing.

11. General safety

- (1) No person shall move, operate, obstruct, stop or in any other way interfere with any automatic closing train door, train or any other equipment on the Metro except:
 - (i) in an emergency, by means of any equipment on or near which is a notice indicating that it is intended to be used in an emergency; or
 - (ii) any equipment intended for the use of passengers in that way in normal operating circumstances.

- (2) No person shall place, throw, drop or trail anything capable of injuring, damaging or endangering any person or property on the Metro.

12. Safety instructions

- (1) The Operator may issue to any person reasonable instructions relating to safety on any part of the Metro by means of a notice on or near that part of the Metro. No person, without good cause, shall disobey such notice.
- (2) An authorised person may, in an emergency or in other circumstances in which he believes he should act in the interest of safety, issue instructions to any person on any part of the Metro. No person, without good cause, shall disobey such instructions.
- (3) No offence is committed under this Byelaw where a person proves he was acting in accordance with the instructions or notice given under this Byelaw.

CONTROL OF PREMISES

13. Unauthorised access and loitering

- (1) No person shall enter or remain on any part of the Metro where there is a notice:
 - (i) prohibiting access; or
 - (ii) indicating that it is reserved or provided for a specified category of person only, except where he belongs to that specified category.
- (2) No person shall loiter on the Metro if asked to leave by an authorised person.

14. Traffic signs, causing obstructions and parking

- (1) No person in charge of any motor vehicle, bicycle or other conveyance shall use it on any part of the Metro in contravention of any traffic sign.
- (2) No person in charge of any motor vehicle, bicycle or other conveyance shall leave or place it on any part of the Metro:
 - (i) in any manner or place where it may cause an obstruction or hindrance to the Operator or any person using the Metro; or
 - (ii) otherwise than in accordance with any instructions of the Operator (or other person on its behalf) or directions from an authorised person.
- (3) No person in charge of any motor vehicle, bicycle or other conveyance shall park where charges are made for parking by the Operator (or other person on its behalf) without paying the appropriate charge at the appropriate time in accordance with instructions given by the Operator (or other person on its behalf) at that place.
- (4) (i) Any motor vehicle, bicycle or other conveyance used, left or placed in breach of these Byelaws may be clamped, removed or stored by or under the direction of an authorised person.

- (ii) The owner of the motor vehicle, bicycle or other conveyance shall be liable to the Operator (or other person on its behalf) for the costs incurred in clamping, removing, storing and/or disposing of it from any area provided that there is in that area or the nearest station, a notice advising that any vehicle parked contrary to these Byelaws may be clamped, removed, stored and/or disposed of by the Operator (or other person on its behalf) and that the costs incurred by the Operator (or other person on its behalf) for this may be recovered from the vehicle's owner.
- (iii) The power of clamping referred to in sub-paragraph (i) above shall not be exercisable in any area where passenger parking is permitted unless there is on display in that area a notice advising that any vehicle parked contrary to these Byelaws may be clamped by the Operator (or other person on its behalf).

15. Pedestrian-only areas

- (1) Any person who enters or is on any part of the Metro to which the public have access must be on foot, except:
 - (i) where there is a notice permitting access to that part of the Metro to those with specified conveyances; or
 - (ii) where the Operator or an authorised person has given permission,and in either case he shall obey any instructions given.
- (2) No person shall be in breach of this Byelaw for properly using a baby carriage or wheelchair except where there is a notice or instructions given by an authorised person to the contrary

16. Control of animals

- (1) The Operator may refuse carriage or entry to any animal.
- (2) No person shall bring an animal on to the Metro, without a valid ticket for that animal, if the Operator requires him to have a valid ticket for the carriage of such an animal.
- (3) Except with permission from the Operator or an authorised person, no person shall bring an animal on to the Metro, which, in the opinion of an authorised person, may threaten, annoy, soil or damage any person or any property.
- (4) If any person in charge of an animal in breach of Byelaw 16(1), (2) or (3) is asked by an authorised person to remove it and fails to do so immediately, then it may be removed by or under the direction of an authorised person.
- (5) No person in charge of an animal shall allow it to foul or damage any part of the railway.
- (6) Any person in charge of an animal shall carry it when on an escalator that is in motion.

- (7) No person in charge of any animal shall leave or place it unattended on any part of the Metro (except in a place provided for that purpose by the Operator and only for as long as is absolutely necessary and in accordance with any direction of the Operator or an authorised person).
- (8) Any animal left or placed in breach of Byelaw 16(7) may be removed and/or stored by or under the direction of an authorised person. The person in charge of the animal shall be liable to the Operator for the cost incurred by the Operator (or other person on its behalf) in removing and storing it.
- (9) Any person in charge of an animal that has soiled or caused damage to any part of the Metro shall be liable to the Operator for the cost of putting the property soiled or damaged back into its proper condition.
- (10) Any liability to the Operator under Byelaw 16(8) or (9) is in addition to any penalty for the breach of Byelaw 16.

TRAVEL AND FARES

17. Compulsory Ticket Areas

- (1) No person shall enter a compulsory ticket area unless he has with him a valid ticket.
- (2) A person shall hand over his ticket for inspection when asked to do so by an authorised person.

18. Ticketless travel in non-compulsory ticket areas

- (1) In any area not designated as a compulsory ticket area, no person shall enter a train for the purpose of travelling unless he has with him a valid ticket entitling him to travel.
- (2) A person shall hand over this ticket for inspection when asked to do so by an authorised person.
- (3) No person shall be in breach of this Byelaw 18 if:
 - (i) there were no facilities for the issue of tickets available at the time when and the station where he began his journey; or
 - (ii) there was a notice at the station where he began his journey indicating that he may travel without a valid ticket; or
 - (iii) an authorised person gave him permission to travel without a valid ticket.

19. Classes of accommodation reserved seats and sleeping berths

Except with permission of an authorised person, no person shall remain in any seat, berth or any part of a train where a notice indicates that it is reserved for a specified ticket holder or holders of tickets of a specific class, except the holder of a valid ticket entitling him to be in that particular place.

20. Altering tickets and use of altered tickets

- (1) No person shall alter any ticket in any way with the intent that the operator or any other railway operator shall be defrauded or prejudiced.
- (2) No person shall knowingly use any ticket which has been altered in any way in breach of Byelaw 20(1).

21. Unauthorised buying or selling of tickets

- (1) Subject to Byelaw 21(4), no person shall sell or buy any ticket.
- (2) Subject to Byelaw 21(4), no person shall transfer or receive any unused or partly used ticket, intending that any person shall use it for travelling.
- (3) Subject to Byelaw 21(4), no person shall knowingly use any ticket which has been obtained in breach of this Byelaw.
- (4) The sale or transfer by, or the purchase or receipt from, an authorised person in the course of his duties or from an authorised ticket machine is excepted from the provisions of this Byelaw.

22. Fares offences committed on behalf of another person

- (1) No person shall buy a ticket on behalf of another intending to enable that other person to travel without having paid the correct fare.
- (2) No person shall transfer or produce a ticket on behalf of another intending to enable that other person to travel without having paid the correct fare.

LOST PROPERTY

23. Handing in lost property

- (1) Any person who finds property accidentally left on the Metro, referred to in Byelaws 23 to 28 as lost property shall immediately hand it, in the state in which he finds it, to an authorised person.
- (2) Subject to Byelaw 23(3), an authorised person to whom lost property is handed, or who finds lost property on the Metro, shall deliver it to a lost property office, in the condition in which it came into his possession, as soon as reasonably practicable and in any event within 24 hours, unless the property is returned to its owner under Byelaw 23(3).
- (3) Where any lost property (other than lost property which has been delivered to a lost property office) in possession of an authorised person is claimed by a person who satisfies the authorised person that he is the owner of the property, it shall be returned to that person forthwith, without charge, on that person giving his name and address if so required, to the authorised person.

24. Official documents, etc

- (1) Official documents, including licences, passports and aliens' identity books and credit/debit/charge cards shall wherever practicable be returned forthwith by the Operator to the appropriate government department, local authority or other body or person responsible for issuing them or for controlling or dealing with them.
- (2) Where the name and address of the owner of any lost property are readily ascertainable from the property, other than the official documents and cards referred to in Byelaw 24 (1), the Operator shall attempt to notify him, at that address, that the property is in the possession of the Operator and may be claimed in accordance with these Byelaws.

25. Charges for return of lost property

If any lost property, while it is held by the Operator at a lost property office, is claimed by a person who gives his name and address and satisfies the Operator that he is the owner of the property, it shall thereupon be handed to him on payment to the Operator of a charge of £2.00.

26. Disposal of lost property by the Operator

- (1) If at the expiry of the period of 28 days beginning with the day on which any lost property was delivered to or found by an authorised person in accordance with Byelaw 23(1) or 23(2):
 - (i) the property has not been claimed; or
 - (ii) no person has satisfied the Operator that he is the owner of the property; or
 - (iii) a person has satisfied the Operator that he is the owner but has refused or failed to give his name and address or to pay the charge in accordance with Byelaw 25.

the property shall vest in the Operator who may dispose of it at any time thereafter.

- (2) This Byelaw does not apply to lost property disposed of under Byelaw 24(1) or Byelaw 27.

27. Perishable property

- (1) Notwithstanding Byelaws 24 and 26 where any lost property in the opinion of the Operator, or authorised person has become objectionable or has perished, or is

about to do so the Operator or authorised person may destroy or dispose of it at any time.

- (2) No person shall have any claim against the Operator or any other person in respect of any property dealt with under this Byelaw.

28. Examination of property

Any lost property consisting of a bag or other container may be opened by the Operator or the Operator may require the claimant to open it to allow the contents to be examined, or to identify or establish the owner of the property, or to ascertain the contents.

TRESPASS

29. Trespass

No person shall, without lawful authority or reasonable excuse, enter or remain upon any operational parts of the Metro, including the permanent way, lines, sidings, tunnels, embankments, cuttings or similar works owned or under the management of the Operator, or trespass upon any other lands in dangerous proximity to such permanent way, lines or other works, or to any electrical equipment or apparatus used for or in connection with the working of the Metro contrary to a no trespass notice displayed at the station nearest to which the trespass was committed.

ENFORCEMENT AND INTERPRETATION

30. Name, and address

- (i) Any person reasonably suspected by an authorised person of breaching or attempting to breach any of these Byelaws shall give his name and address when asked by an authorised person.
- (ii) The authorised person shall state the nature of the breach of any of these Byelaws in general terms.

31. Enforcement

(1) Offence and level of fines

Any person who breaches any of these Byelaws, except Byelaws 17, 24, 25, 26, 27 and 28 commits an offence and shall be liable for each such offence to a penalty not exceeding level 3 on the standard scale.

(2) Removal of persons

- (i) Any person who is reasonably believed by an authorised person to be in breach of any of these Byelaws shall leave the Metro immediately if asked to do so by an authorised person.
- (ii) Any person who is reasonably believed by an authorised person to be in breach of any of these Byelaws except Byelaws 23 to 28, and who fails to desist or leave when asked to do so by an authorised person may be removed from the Metro by an authorised person using reasonable force. This right of removal is in addition to the imposition of any penalty for the breach of these Byelaws.
- (iii) No person shall fail to carry out the instructions of an authorised person acting in accordance with powers given by these Byelaws or any other enactment.
- (iv) in Byelaws (31(2)(i) and 31(2)(ii) the authorised person shall state the nature of the breach of any of the Byelaws in general terms.

(3) Identification of authorised persons

An authorised person, who is exercising any power conferred on him by any of these Byelaws, shall produce a form of identification when requested to do so and such identification shall state the name of his employer and shall contain a means of identifying the authorised person.

(4) Notices

No person shall be subject to any penalty for breach of any of the Byelaws by disobeying a notice unless it is proved to the satisfaction of the Court before whom the complaint is laid that the notice referred to in the particular Byelaw was displayed.

(5) Attempts

Any person who attempts to breach any of the Byelaws numbered 9, 10, 11, 13(1), 20(2) and 21 shall be liable to the same penalty as given above for breach of that Byelaw.

(6) Breaches by authorised persons

An authorised person acting in the course of his duties shall not be liable for breach of any of the Byelaws numbered 2, 4(2), 6(3) and (5), 7, 9, 10, 11(1), 13, 14, 15, 17, 18, 19, 20(1) and 23.

32. Interpretation

(1) Definitions

In these Byelaws the following expressions have the following meanings -

“authorised person” means:

- (i) a person acting in the course of his duties, who is an employee or agent of or any other person authorised by the Operator or authorised by a person operating any railway assets, and
- (ii) any constable, acting in the execution of his duties;

“compulsory ticket area” means any part of the Metro identified by a notice stating that no person may enter there without being in possession of a valid ticket;

“escalator” includes travelator or similar device;

“intoxication” means being under the influence of intoxicating liquor, drugs or other substances;

“intoxicating liquor” has the meaning ascribed to it in the Licensing Act 1964 (as amended or replaced from time to time);

“Metro” means the rapid transit railway of the Operator and includes railways, railway premises, stations, approaches to stations, escalators, depots, track or associated equipment, owned, operated or managed by the Operator, comprised in or provided in connection with the rapid transit railway – including trains or other vehicles thereon;

“notice” means a notice given by or on behalf of the Operator;

“Operator” means Tyne and Wear Passenger Transport Executive;

“previous Byelaws” means the Byelaws previously made in relation to the railway by Tyne and Wear Passenger Transport Executive under the provisions of Section 58 and 62 of the Tyneside Metropolitan Railway Act 1973 on 4 July 1980 and confirmed by the Minister of Transport on 13 August 1980;

“railway assets” means train, station, depot or track and associated equipment of any person;

“standard scale” has the same meaning as in section 37 of the Criminal Justice Act 1982 and any replacement, modification or amendment made thereto;

“ticket” includes

- (i) a ticket (including one issued by another railway undertaking) authorising the person for whom it is issued to make the journey covered by the fare paid on a train provided by the Operator (whether or not it also authorises that person to make a journey on a train provided by another railway undertaking);
- (ii) any permit authorising the person for whom it is issued to travel on a train provided by the Operator (whether or not it also authorises that person to make a journey on a train provided by another railway undertaking);
- (iii) an authority to travel on a train provided by the Operator subject to a condition that payment of the correct fare for the person using that authority

- on which it is used is made during or at the end of that journey or otherwise as provided by the terms applicable to its use;
- (iv) a ticket authorising a person to enter a compulsory ticket area but not to make a train journey;
 - (v) any type of free pass, privilege ticket, or any warrant, identity card, voucher or other similar authority accepted by the Operator as authority to travel, or in exchange for or on production of which a ticket for travel may be issued;
 - (vi) any identity card, reservation or other document required by the Operator to be held or produced for use with other travel documents; and
 - (vii) any other ticket or document issued for the purpose of travel of any animal or article on the Metro accepted by the Operator.

“traffic sign” means an object or device for conveying to traffic or any specified class of traffic, warnings, information, requirements, restrictions or prohibitions of any kind.

“train” means any Metro train and includes any carriage or compartment of a train.

“valid ticket” means a current ticket (including any associated photo/identity card and/or other travel document) lawfully obtained by or on behalf of the person using or attempting to use it and entitling that person to use the particular Metro service he is using or attempting to use. Where the terms attaching to the ticket require validation of the ticket such ticket shall not be considered to be a valid ticket for the purposes of these Byelaws unless and until the ticket has been properly validated.

In Byelaws 23 to 28 the following expressions have the following meanings:-

“Lost property office” means any office designated by the Operator for the custody of property found on the Metro and any reference to delivery to a lost property office means to an authorised person at such office.

“Owner” means the person entitled to possession of the property whether owned by him or subject to an agreement for hire, hire-purchase or on loan.

(2) Preamble, Table of Contents and Headings

The preamble, table of contents and headings used in these Byelaws are for assistance only and are not to be considered as part of these Byelaws for the purpose of interpretation.

(3) Plural

Unless the context requires to the contrary, words importing the singular shall include the plural and vice versa.

(4) Gender

Unless the context requires to the contrary, words importing one gender shall include the other gender.

33. Coming into operation of these Byelaws and revocation of previous byelaws

These Byelaws will come into operation in accordance with the provisions of section 58 and 62 of The Tyneside Metropolitan Railway Act 1973.

When these Byelaws come into effect the previous byelaws shall, be revoked. This revocation is without prejudice to the validity of anything done under the previous byelaws or to any liability incurred in respect of any act or omission before the date of the coming into operation of these Byelaws.

The Common Seal of the **Tyne and Wear Passenger Transport Executive** was hereunto affixed
in the presence of **George Eric Merrylees**
Secretary

Legal Seal

On 26 March 1999

The Secretary of State for the Environment, Transport and Regions confirms the above Byelaws and fixes 18 February 2001 the date the Byelaws shall come into operation.

Signed by authority of Secretary of State for the Environment, Transport and Regions on 19 December 2000.

Peter Thomas
Head of Division, Railways International and General
Department of Environment, Transport and the Regions

34. Certificate of Authenticity

It is hereby certified that

- (1) The above Byelaws were made by Tyne and Wear Passenger Transport Executive;
- (2) This is a true copy of the Byelaws;
- (3) On 19 December 2000 the Byelaws were confirmed by the Secretary of State for the Environment, Transport and Regions; and
- (4) The Byelaws came into operation on 18 February 2001.

G. E. MERRYLEES

Secretary

Tyne and Wear Passenger Transport Executive