

1994—No. 464

JUSTICES ACT 1902—REGULATION

(Prescribing the short descriptions of certain railway offences)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Justices Act 1902, has been pleased to make the Regulation set forth hereunder.

J. P. HANNAFORD, M.L.C.,
Minister for Justice.

Commencement

1. This Regulation commences on 1 September 1994.

Amendment

2. The Justices (Short Descriptions of Transport Offences) Regulation 1987 is amended by omitting from Schedule 1 the matter relating to Offences under the Railway Offences By-law 1983 and by inserting instead the following matter:

Offences under the Transport Administration (Railway Offences) Regulation 1994

Clause 5 (1)—transfer (or offer to transfer) a ticket or a portion of a ticket	transfer/offer to transfer ticket/portion of ticket
Clause 6 (1)—travel on a train without holding a valid ticket for the travel concerned	travel without valid ticket
Clause 8—being on a train or a platform, not make ticket available for inspection or processing by an authorised person on that person's request	on train/platform not make ticket available for inspection/processing

Clause 9 (1)—without reasonable excuse, leave the restricted area of a station without offering ticket for collection or processing	leave restricted area without offering ticket
Clause 10 (1)—on a train, or on SRA premises, wilfully interfere with the comfort or safety of other persons	on train/SRA premises interfere with comfort/safety of other persons
Clause 11 (1)—smoke on a train or on enclosed (or otherwise covered) SRA premises	smoke on train/on enclosed/covered SRA premises
Clause 12 (1)—drink intoxicating liquor on a train or on SRA premises	drink liquor on train/SRA premises
Clause 13 (1)—carry on a commercial activity on a train or on SRA premises without the written permission of the SRA	carry on unauthorised commercial activity on train/SRA premises
Clause 14 (1)—without reasonable excuse, enter or leave a station, platform or other work or premises connected with a railway, otherwise than by a place designated by the SRA for entry or exit	enter/leave station/platform/work/premises by unauthorised entry/exit
Clause 15 (1) (a)—without reasonable excuse, enter or leave a train while the train is in motion	enter/leave train while train in motion
Clause 15 (1) (b)—without reasonable excuse, enter or leave a train except at the side of the train adjoining the platform or other place designated by the SRA for persons to enter or leave the train	enter/leave train on wrong side of train/at wrong place
Clause 15 (1) (c)—without reasonable excuse, enter or leave a train by getting through a window	enter/leave train through window
Clause 16 (1)—without permission, board a train at a station at which the train is not scheduled to pick up passengers	board train at set-down-only station
Clause 16 (3)—without permission, leave a train at a station at which the train is not scheduled to set down passengers	leave train at non-set-down station
Clause 18 (3)—not comply with direction to leave a seat reserved for another person	not comply with direction to leave reserved seat
Clause 20 (1) (a)—without reasonable excuse, block a train door	block train door
Clause 20 (1) (b)—without reasonable excuse, open a locked train door at any time	open locked train door
Clause 20 (1) (c)—without reasonable excuse, open an unlocked train door (other than an internal door or a door between carriages) while the train is in motion	open unlocked door while train in motion

Clause 20 (1) (d)—without reasonable excuse, in any way interfere with an automatically operated train door	interfere with automatic train door
Clause 21 (1) (a)—enter the crew compartment of a train without the permission of an authorised person	unauthorised entry to crew compartment
Clause 21 (1) (b)—remain in the crew compartment of a train after having been requested to leave the compartment by an authorised person	unauthorised stay in crew compartment
Clause 22 (1)—without reasonable excuse, travel on any portion of a train not intended for the conveyance of passengers	travel on portion of train not intended for passengers
Clause 23 (a)—without reasonable excuse, use the public address or other communications system of a train	use public address/communications system of train
Clause 23 (b)—without reasonable excuse, apply or release any brake on a train	apply/release brake on train
Clause 24—without reasonable excuse, sit on, or otherwise obstruct, a stairway at a station	sit on/obstruct stairway at station
Clause 25 (1) (a)—ride on a travelling handrail of an escalator	ride on escalator handrail
Clause 25 (1) (b)—without reasonable excuse, move while on an escalator in a direction opposite to that in which it is travelling	travel down on up escalator/up on down escalator
Clause 25 (1) (c)—without reasonable excuse, convey any goods on an escalator or in a lift	convey goods on escalator/in lift
Clause 25 (1) (d)—without reasonable excuse, interfere in any manner with an escalator or lift or the working of an escalator or lift	interfere with escalator/lift/working of escalator/lift
Clause 26 (1)—remove SRA property from any train or SRA premises	remove SRA property from train/SRA premises
Clause 27 (1) (a)—write, draw or affix any word, representation, character or poster on or to any train or other SRA property	write/draw/affix word representation/character/poster on/to train/SRA property
Clause 27 (1) (b)—destroy, damage or deface any train or other SRA property	destroy/damage/deface train/SRA property
Clause 27 (2)—without reasonable excuse, have in possession on any train or on any SRA premises any thing intended for use in damaging property	on train/SRA premises possess thing for damaging property

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Clause 28 (a)—on any train, or on any SRA premises, deposit litter otherwise than in a receptacle provided for that purpose	deposit litter on train/SRA premises
Clause 28 (b)—on any train, or on any SRA premises, deposit any thing that may endanger any person or property otherwise than in a receptacle provided for that purpose	deposit dangerous thing on train/SRA premises
Clause 29 (1)—cross or drive a vehicle over a railway line except by means of a level crossing, bridge or subway constructed for that purpose	cross/drive vehicle over line at unauthorised place
Clause 30 (1)—being a person on foot (and not being in charge of an animal), cross over a railway line at ground level at a level crossing where a bridge or subway is provided	cross line not using bridge/subway
Clause 30 (2) (a)—being a person on foot, cross over a railway line at a level crossing when warned not to do so by an authorised person	cross line despite authorised person's warning
Clause 30 (2) (b)—being a person on foot, cross over a railway line at a level crossing contrary to a warning displayed at the level crossing	cross line contrary to displayed warning
Clause 30 (3) (a)—being a person on foot, cross over a railway line at a level crossing at which barriers are installed while barriers are in any position other than the fully open position or while any bell, alarm, red light or other warning device is operating	cross line when barriers shut/against warning device
Clause 30 (3) (b)—being a person on foot, cross over a railway line at a level crossing at which barriers are not installed while any bell, alarm, red light or other warning device is operating	cross line against warning device (no barriers)
Clause 37—leave bicycle on SRA premises or chained or otherwise attached to any building, fence or other railway installation on SRA premises, except in a cloak room, parcels office or other place designated by the SRA for that purpose	leave bike on SRA premises/chained/attached to SRA building/fence/installation
Clause 38—not shut and securely fasten immediately after use gate at a level crossing, or other gate set up at the side of the railway	not shut and fasten level crossing gate/side gate
Clause 40—throw any thing at or from a train	throw thing at/from train

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EXPLANATORY NOTE

The object of this Regulation is to prescribe the short descriptions that, by virtue of section 145B of the Justices Act 1902, are sufficient to state or describe, in any information, complaint, summons, warrant, notice, order or other document, certain offences under the Transport Administration (Railway Offences) Regulation 1994 that may be dealt with by penalty notices under section 117 of the Transport Administration Act 1988. The Regulation is made under sections 145B and 154 (the general regulation making power) of the Justices Act 1902.
