

THE ISLE OF WIGHT RAILWAY COMPANY LIMITED

BYELAWS

THE RAILWAY STATION
HAVENSTREET RYDE
ISLE OF WIGHT

APRIL 1991

The Isle of Wight Railway Company Limited: A company limited by guarantee and a Registered Charity

Made under Section 67 of the Transport Act 1962, as applied by Section 84(3) of the said Act and as amended by Section 37 of the Transport Act 1981, by the Isle of Wight Railway Company Limited, and confirmed by the Secretary of State for Transport, for regulating the use and working of, and travel on its Railway, the maintenance of order on its Railway and Railway premises, and the conduct of all persons on those premises.

1. No person, other than an authorised person, shall enter any vehicle for the purpose of travelling unless he or she or someone on his or her behalf obtains from the Company or from an authorised person a ticket or other authority entitling him or her to travel therein.
2. No person with intent that the Company shall be defrauded or prejudiced shall;
 - (a) alter, deface, mutilate or destroy any ticket, or
 - (b) knowingly use or attempt to use any ticket which shall have been in any respect materially altered, defaced or mutilated
3. No person, with the intent that the Company shall be defrauded or prejudiced, shall transfer, tender or deliver up a ticket to another person with intent to enable any person to travel on the Railway without having previously paid his or her fare.
4. When a vehicle contains the full number of passengers which it is constructed to carry, no additional person shall enter or remain therein if requested by an authorised person not to do so.
5. No person, other than an authorised person, shall without reasonable excuse mount or attempt to mount any vehicle except on such part or parts as are provided for the carriage of passengers.
6. Except in cases of emergency, no person except an authorised person, shall intentionally operate, move, work or tamper with any mechanical or electrical appliance upon the Railway, or any switch, lever or other device operating or controlling any mechanical or electrical appliance upon the Railway.
7. Except in case of accident or other emergency, no person, except an authorised person, shall open the door, or stand on the step or footboard of any vehicle whilst it is in motion or between stations, or enter or leave any vehicle whilst it is in motion.
8. No person under the influence of drugs shall enter or remain upon the Railway.
9. No person shall at any time while upon the Railway, without reasonable excuse, knowingly obstruct or interrupt any authorised person in the performance of his or her duties or in the execution of any of the work, matter or things to be done by him or her.
10. No person shall take or cause to be taken onto, or cause to allow to remain upon the Railway, if requested not to do so by an authorised person, any animal, article or thing which, by reason of its nature, is in the opinion of such authorised person, likely to cause damage to property or give reasonable cause for annoyance to any passenger. If any person in charge of such animal, article or thing fails when requested by an authorised person immediately to remove the same from the Railway, the same may be removed therefrom by or under the direction of such authorised person.
11. No person shall take or cause to be taken upon, or place or cause to be placed upon, the Railway or, while upon the Railway, have in his or her possession or charge, as the case may be, any flammable, explosive, or corrosive gas, spirit, liquid, substance or matter or any article or thing which is or may become dangerous to any person or property. Provided that nothing in this Byelaw shall apply to small quantities of film or spirit or liquid carried for personal use of such a person and not for the purpose of trade or business, provided that all due precautions are taken for the prevention of accident or injury therefrom. If any person offending against this Byelaw fails to remove from the Railway immediately upon request by an authorised person any article or thing to which the Byelaw relates, the same may be removed therefrom by or under the direction of an authorised person.
12. No person shall smoke or carry a lighted pipe, cigar, cigarette, match or other naked flame or similar source of ignition in any vehicle or elsewhere upon the Railway, where smoking is expressly prohibited by the Company by a notice exhibited in a conspicuous position in such vehicle or upon or near such other part of the Railway or if requested by an authorised person not to do so in or upon any part of the Railway.
13. Except in cases of emergency no person except an authorised person shall intentionally move or set in motion or stop or attempt to stop any vehicle.
14. No person while upon the Railway, shall sing, perform on any musical or other instrument or use any gramophone, record player, tape recorder or portable television or wireless apparatus so as to give reasonable cause for annoyance to any other person.
15. No person while on the Railway shall, except by permission of an authorised person:
 - (a) display or exhibit any printed, written or pictorial matter or any article for the purpose of advertising or publicity, or distribute any book, leaflet or other printed matter or any sample or other article, or
 - (b) sell or expose for sale any article or goods or
 - (c) tout, ply for or solicit reward, custom or employment of any description tout, ply for or solicit reward, custom or employment of any description.
16. No person shall, without lawful authority or reasonable excuse, enter or attempt to enter or remain upon any part of any transport premises used for operational purposes which, being a part where entry by members of the public is, in the opinion of

the Company, likely to involve danger to life or disruption of facilities for travel, and is marked by a notice exhibited in a conspicuous position on or near such part as being not available for entry by the public.

17. No person shall deposit, or throw, or wilfully drop on or from any vehicle on the Railway any article or thing whatsoever capable of injuring, damaging or endangering any person or property.
18. No driver or person in charge of any public service vehicle, motor car, cab, carriage, wagon, bicycle or other conveyance or of any animal in or upon the Railway shall without reasonable excuse leave or place any such conveyance or animal in or upon the Railway:
- (a) in any manner or place so as to cause an obstruction or hindrance to the Company or to persons using the Railway, or
 - (b) otherwise than in accordance with any reasonable direction of an authorised person, or
 - (c) where parking or waiting is prohibited.
- No such driver or person in charge shall leave or place any such conveyance or animal in or upon the Railway for a period longer than necessary for such person to transact any lawful business upon the Railway. Any conveyance or animal so left or placed in breach of this Byelaw may be removed by or under the direction of an authorised person.
19. No person shall spit on the floor or in, upon or against any part of any vehicle upon the Railway, or upon the permanent way at any station of the Company, or in, upon or against any hall, office, waiting room, public room or public passage at any station of the Company.
20. No person without reasonable excuse shall occupy or use any vehicle, compartment or seat on the Railway upon which or in relation to which notice has been fixed or given by the Company that such vehicle, compartment or seat is reserved, except the person or persons for whom the Company has made the reservation.
21. The guard or other authorised person in charge of a passenger train may require passengers to travel in a particular vehicle or change the vehicle in which they are travelling. Passengers shall obey the reasonable instructions of the guard or other authorised person requiring them to do so.
22. No person shall tamper with, remove or in any manner destroy any fire-fighting equipment situated on property owned or occupied by the Company.
23. In these Byelaws:
- (a) "The Company" means the Isle of Wight Railway Company Limited
 - (b) "Vehicle" means any railway vehicle (including locomotives) on the Railway and includes any compartment of any such vehicle
 - (c) "the Railway" means the railways and railway premises of the Isle of Wight Railway Company Limited, including stations and the approaches to stations,
 - (d) "authorised person" means any officer, employee or agent of the Isle of Wight Railway Company Limited (whether on the permanent or volunteer staff), acting in the execution of his or her duty or in connection with The Isle of Wight Railway Company Limited, and

(e) "the standard scale" has the same meaning as in Section 37 of the Criminal Justice Act 1982 which lays down a standard scale of fines for summary offences.

24.

- (a) Any person offending against any of the Byelaws numbered 1, 2, 3, 5, 6, 7, 8, 9, 11, 13, 15, 16 and 22 shall be liable for every such offence to a penalty not exceeding level 3 on the standard scale.
 - (b) Any person offending against any other of the Byelaws shall be liable for every such offence to a penalty not exceeding level 2 on the standard scale.
 - (c) Any person offending against any of the above Byelaws numbered 1, 4, 5, 8, 9, 14, 15, 16, 17, 18, 19, 20 and 22 and failing to desist or quit, or failing to comply with the Byelaws, as the case may be, when requested so to do by an authorised person may be removed from the Railway or any part thereof or any vehicle by or under the direction of an authorised person without prejudice where any penalty is prescribed as aforesaid for the contravention of any such Byelaws to such penalty.
 - (d) No person shall be subject to any penalty under the above Byelaw numbered 16 unless it shall be proved to the satisfaction of the Court before which complaint is laid that public warning has been given to persons not to trespass upon the Railway by notice clearly exhibited and that such notice has been affixed at the station on the Railway nearest to the place where such offence is alleged to have been committed and such notice shall be renewed as often as the same shall be obliterated or destroyed and no person shall be guilty of an offence under Byelaw 16 unless such notice is so placed and renewed.
- It shall be a defence for a person charged under the above Byelaw 16 for him or her to prove that he or she was not aware that such notice existed and that he or she was not reckless as to its existence.
- (e) It shall be a defence in proceedings under these Byelaws for a person to prove that the person acted with lawful authority or reasonable excuse.
25. The Byelaws will come into operation in accordance with the provisions of the Transport Act 1962. Upon the coming into operation of these Byelaws, any Byelaws previously made in relation to the Railway shall be repealed without prejudice, however, to the validity of anything done thereunder 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 ISLE OF WIGHT RAILWAY COMPANY LIMITED
was hereunto affixed the seventh day of February 1991
in the presence of:-
Director: J.A. Suggett
Secretary: D.F. Hawkins

THE SECRETARY OF STATE FOR TRANSPORT hereby confirms the above Byelaws and fixed the first day of April One Thousand Nine Hundred and Ninety One as the date on which the Byelaws shall come into operation.

SIGNED by the authority of the SECRETARY OF STATE FOR TRANSPORT the eleventh day of March 1991.

J.R. Coates
An Under Secretary in the Department of Transport