



Rail Safety (General) Amendment (Inspection of Tickets) Regulation 2003

under the

Rail Safety Act 2002

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Rail Safety Act 2002*.

MICHAEL COSTA, M.L.C.,
Minister for Transport Services

Explanatory note

Clauses 10, 11 and 12 of the *Rail Safety (General) Regulation 2003* concern the inspection and processing of the tickets of persons who travel by train. Those clauses generally are limited in their application to what is called the “restricted area of a station”, which is the platform and all other parts of the station between the platform and the ticket barrier.

The objects of this Regulation are:

- (a) to allow authorised officers to require a person who has just left the restricted area of a station to present his or her ticket for inspection, and
- (b) to make it clear that when a station has no ticket barrier, the restricted area of the station is limited to the platform, and
- (c) to make it clear that a person entering or leaving the restricted area of a station may be required to show his or her ticket to an authorised officer even if the person has already put it into an automatic gate or other equipment provided to read any details of the ticket.

This Regulation is made under the *Rail Safety Act 2002*, including section 95 (Railway offences) and section 117 (the general regulation-making power).

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Clause 1 Rail Safety (General) Amendment (Inspection of Tickets) Regulation 2003

Rail Safety (General) Amendment (Inspection of Tickets) Regulation 2003

under the

Rail Safety Act 2002

1 Name of Regulation

This Regulation is the *Rail Safety (General) Amendment (Inspection of Tickets) Regulation 2003*.

2 Amendment of Rail Safety (General) Regulation 2003

The *Rail Safety (General) Regulation 2003* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 2)

[1] Clause 3 Definitions

Omit the definition of *restricted area of a station*. Insert instead:

restricted area of a station means:

- (a) if the station has no ticket barrier—the platform, and
- (b) if the station has a ticket barrier—the platform and all other parts of the station between the platform and the ticket barrier.

[2] Clause 10

Omit the clause. Insert instead:

10 Inspection of tickets

- (1) A person who:
 - (a) is on a train, or
 - (b) is in a restricted area of a station, or
 - (c) has just left the restricted area of a station,must make his or her ticket available for inspection or processing by an authorised officer on that officer's request.
Maximum penalty: 5 penalty units.
- (2) A person who has just left the restricted area of a station does not commit an offence under subclause (1) if the person's ticket has been:
 - (a) captured by an automatic gate or other equipment provided to read or record any details on the ticket, or
 - (b) given to an authorised officer.

[3] Clause 11 Entry to restricted area of station

Omit clause 11 (2). Insert instead:

- (2) For the purposes of this clause, a person offers a ticket for processing:
 - (a) if the station has an automatic gate or other equipment provided to read or record any details on the ticket—by putting the ticket into that gate or equipment and, if

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Schedule 1 Amendments

requested by an authorised officer, by also showing the ticket to the authorised officer, or

- (b) if the station does not have such a gate or equipment—by showing the ticket to an authorised officer on that officer's request.

[4] Clause 12 Leaving restricted area of station

Omit clause 12 (2). Insert instead:

- (2) For the purposes of this clause, a person offers a ticket for processing:
 - (a) if the station has an automatic gate or other equipment provided to read or record any details on the ticket—by putting the ticket into that gate or equipment and, if requested by an authorised officer, by also showing the ticket to the authorised officer (unless the ticket has been captured by the gate or equipment), or
 - (b) if the station does not have such a gate or equipment—by giving or showing the ticket to an authorised officer on that officer's request.

BY AUTHORITY
